1913

INDEX

TO

Punjab Government Gazette

FOR HALF YEAR ENDING

30th June 1913.

PART II.

Names.	Admissions, appointments, deputations, postings, re-instatements, resuming charge and transfers.	Acting or permanent promotions and reversions from such promotions.	Deaths, dismissals, reductions, resignations, retirements and suspensions.	Leave.	Examinations.	Powers. Grant and withdrawal of —
D.						
D'Abreu, Assistant Surgeon A. R.	25	...	...	...	...	...
Daljit Singh, Sardar	13, 23	...	...	...	...	...
Dalziel, Major R. Mc.	135	22	...	...	...	...
Dane, Sir Louis William, G.C.I.E., C.S.I.	...	...	180, 201	...	...	...
Daswandhi Ram, Lala	3	...	...	...	...	...
Davidson, Lieutenant-Colonel D. M., I.M.S.	3	...	...	...	...	...
deMontmorency, Mr G. F.	...	...	...	81	...	...
Dixon, Reverend T. H.	3	...	...	...	...	...
Donald, Lieutenant C. H.	...	2	...	...	...	...
Douglas, Lieutenant-Colonel M. W.	35, 202	...	...	...	...	...
Duer, Lieutenant-Colonel C.	201	...	...	...	...	...
Duncan, G. (Volunteer), Lieutenant	...	2	...	...	...	...
Dundas, Mr. C. L.	3	...	...	178	...	...
Durrant, Reverend H. B.	186	...	...	...	...	...
E.						
England, Reverend H. G.	1, 176,178	...	...	...	...	...
F.						
Farmer, Lieutenant-Colonel J.	61	...	...	...	...	...
Fazl Muhammad Khan, Khan	80	...	...	...	...	...
Fenton, The Hon'ble Mr. M. W.	79	...	...	...	...	...
Fleming, Assistant Surgeon Lieutenant J. F.	77	20	...	...	...	...
Fordham, Assistant Surgeon W. C. W.	25	...	...	...	...	...
G.						
Gamble, Mr R. A.	...	...	...	206	...	...
Glancy, Mr. B. J.	42	...	...	...	...	...
Glenn, Mr. H. J.	142	...	...	...	...	...
Gordon, Lieutenant Geoffrey	...	32	...	...	...	...
Govan, Mr. R. G.	77	...	...	...	...	...
Grindal, Mr F. R.	61	...	...	...	...	...
Gwyther, Mr. F. E.	...	60	...	...	...	...
H.						
Hadow, Mr. D. S.	3	...	...	...	...	...
Hailey, The Hon'ble Mr. W. M., C.I.E.	...	...	...	...	...	...
Hari Chand, Lala	3	...	4	...	...	...
Harrison, Mr. M. H.	180	...	...	...	...	...
Heard, Lieutenant-Colonel R., M.B., I.M.S.	135	32	...	...	...	...
Heath, Mr. Lionel	61	...	...	...	...	...
Hira Singh, of Dhami, Rana	7	...	...	...	...	...
Holme, Captain A. S.	65	...	...	...	...	...
Hugo, Lieutenant-Colonel E. V.	...	...	...	...	...	...
Hunter, Mr. J. C.	38	...	...	270	...	...
I.						
Isemonger, Mr. C. F.	31	...	...	...	...	...
J.						
Jacob, Mr S. M.	3	...	...	...	...	...
Jai Chand, of Lambagraon, Honv. Lieutenant-Colonel, Raja	7, 14	...	...	...	...	...
James, Lieutenant-Colonel C. H., C.I.E.	201	...	...	...	...	...
Johnstone, Mr. D.	3	...	...	35, 145	...	...
K.						
Kamar-ud-din, Pir	3	...	...	...	...	...
Keeling, Mr.	3	...	...	...	...	...
Kensington, The Hon'ble Mr. Mr. A.	249	...	...	...	...	...
Khazan Singh, M.	3	...	...	...	...	...

Public Works Department, Irrigation Branch, Punjab,—Part II.

Names.	Admissions, appointments, deputations, postings, reinstatements, resuming charge, transfers.	Acting or permanent promotions, and reversions from such promotions.	Deaths, dismissals, reductions, resignations, retirements, suspensions.	Leave.	Examinations.
B.					
Bhagwati Prasad Varma, Mr., Executive Engineer ...	65	...	...	...	...
C.					
Colbourne, Mr. R. L., Executive Engineer ...	31	...	...	...	...
G.					
Glenn, Mr. H. J., Assistant Engineer ...	142	...	...	...	...
Gwyther, Mr. F. E., Chief Engineer ...	...	60	...	...	...
P.					
Purves, Mr. R. E., Officiating Chief Engineer ...	189	...	...	...	...
S.					
Sale, Mr. J. L., Assistant Engineer ...	142	...	...	...	...
T.					
Tickell, Mr. R. H., Superintending Engineer ...	...	60	...	...	...

INDEX

TO

Punjab Government Gazette

FOR HALF YEAR ENDING

31st December 1913.

PART II.

Public Works Department, Irrigation Branch, Punjab—Part II.

Names.	Admissions, appointments, deputations, postings, reinstatements, resuming charges, transfers.	Acting or permanent promotions and reversions from such promotions.	Deaths, dismissals, reductions, resignations, retirements, suspensions.	Leave.	Examinations.
A.					
Amar Nath (2), Sub-Overseer, 1st grade	...	1005	...	...	...
B.					
Bhagwati Prasad Varma, Mr., Executive Engineer ...	347	...	...	...	...
Boyes, Mr. W. R., Assistant Engineer	434	...	...	...	...
Brij Mohan Lal, Mr., Assistant Engineer	434	...	...	...	...
C.					
Connolly, Mr. J. A., Temporary Upper Subordinate ...	...	1004		...	...
G.					
Ganga Ram (2), Lala, Overseer	1005	...	...	...	...
Gwyther, Mr. F. E., Chief Engineer	...	399	...	...	...
Gum, Mr. J. P., Assistant Engineer	434	...	...	...	...
H.					
Haigh, Mr. F. F., Assistant Engineer	434	...	...	...	...
K.					
Khushi Ram (1), Sub-Overseer, 1st grade	...	1005	...	...	...
M.					
Muhammad Fakhar-ud-din, Mr., Assistant Engineer ...	434	...	...	...	...
P.					
Purves, Mr. R. E., Chief Engineer	...	399	...	...	...
R.					
Rallia Ram (2), Sub-Overseer, 1st grade	...	1005	...	...	...
S.					
Sunder Singh (3), Apprentice Overseer	1005	...	...	...	...
T.					
Tickell, Mr. R. H., Superintending Engineer ...	306	...	...	...	...

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JANUARY 3, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED 28TH DECEMBER 1912.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

ECCLESIASTICAL.

Delhi, the 27th December 1912.

No. 10-*C.D.*—The services of the Revd. H. G. England, M.A., a chaplain on probation on the Bengal (Lahore) Ecclesiastical Establishment, are placed at the disposal of the Chief Commissioner of Delhi with effect from the 25th November 1912.

L. C. PORTER,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 24th December 1912.

No. 2621-*I. B.*—The Governor-General in Council is pleased to declare that summonses issued by Courts in British India under the Code of Civil Procedure, 1908 (V of 1908), may be served by any Civil Court of the Mysore State.

No. 2622-*I. B.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor-General in Council is pleased to declare that a summons issued by any Civil or Revenue Court established or continued by the authority of the Governor-General in Council in the territories of any Foreign Prince or State, may be sent for service to any Civil Court of the Mysore State, and that if such Court returns the summons with an endorsement signed by the Judge or other Officer of the Court that the summons has been served, such endorsement shall be deemed to be evidence of service.

No. 2623-*I. B.*—It is notified for general information that the following Native States have agreed that the decrees passed by Civil Courts established or continued by the authority of the Governor-General in Council in the territories of any Foreign Prince or State may be executed by the Courts in their territories named below, namely :—

Mysore	All Civil Courts.	
Baroda	Ditto	(tentatively till July 1914).

No. 2627-*I. B.*—The following draft rule, which it is proposed to make in exercise of the powers conferred by section 36 of the Births, Deaths and Marriages Registration Act, 1886 (VI of 1886), as subsequently amended, is published as required by sub-section 3 of the said section for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration by the Governor-General in Council on or after the 28th February 1913.

2. Any objections or suggestions which may be received from any person with respect to the draft before the date fixed as aforesaid will be considered by the Governor-General in Council.

Draft Rule.

"If a person giving notice of a birth or death does not attend personally before the Registrar, the written notice given by such person shall be attested by one of the following persons :—

(1) A Magistrate of any class including an Honorary Magistrate under either the British or the Nizam's Government.

(2) A servant of the British or of the Nizam's Government whose emoluments are not less than Rs. 50 per mensem.

(3) A pensioner of the British or of the Nizam's Government whose pension is not less than Rs. 25 per mensen.

(4) Any person authorised to solemnize a marriage under section 5 of the Indian Christian Marriage Act, 1872 (Act XV of 1872).

(5) A medical officer of the British or of the Nizam's service or a private medical practitioner holding a University diploma.

Failing any of these, the evidence of any two respectable persons may be accepted by the Registrar.

Provided that the Registrar may dispense with the evidence of identity when the informant falls under any of the following classes :—

(1) A gazetted officer of the British or of the Nizam's Government.

(2) A medical officer in the British or Nizam's service or a private medical practitioner holding a University diploma.

(3) Any person authorised to solemnize a marriage under section 5 of the Indian Christian Marriage Act, 1872 (Act XV of 1872).

(4) Any person known to the Registrar personally.

The notice shall be filed separately and preserved permanently by the Registrar."

A. H. McMAHON,
Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 27th December 1912.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

Punjab Light Horse.

No. 1181.—Second Lieutenant George Duncan to be Lieutenant, to fill an existing vacancy. Dated the 1st November 1912.

Second Lieutenant Charles Hilliard Donald to be Lieutenant, to fill an existing vacancy. Dated the 1st November 1912.

Second Lieutenant Robert Thomas Clarke to be Lieutenant, to fill an existing vacancy. Dated the 1st November 1912.

Alexander Montagu Stow to be Second Lieutenant, to fill an existing vacancy. Dated the 1st November 1912.

John Dixon Bevan to be Second Lieutenant, to fill an existing vacancy. Dated the 1st November 1912.

W. R. BIRDWOOD, MAJOR-GENERAL,
Secretary to the Government of India.

CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 21st December 1912.

No. 1847-*Home.*—The Chief Commissioner is pleased to notify the following appointments in the Province of Delhi with effect from the dates noted :—

Name.	Appointment.	Date.
Major H. C. Beadon	Deputy Commissioner	1st October 1912.
M. . M. Jacob	Additional District Magistrate ...	Ditto.
Mr. C. L. Dundas	Divisional Judge	Ditto.
Khwaja Tasadduk Husain ...	Judge, Small Cause Court ...	Ditto.
Lala Murari Lal Khosla... ...	District Judge	Ditto.
Lala Chuni Lal	Subordinate Judge	Ditto.
L. Hari Chand	E. A. C. (Treasury Officer) ...	Ditto.
M. Khazan Singh	Do. (Revenue Assistant) ...	Ditto to 3rd December 1912 (afternoon).
Mr. J. Addison	Special Land Acquisition Officer ...	8th October 1912.
Mr. D. Johnstone	City Magistrate	Ditto.
Mr. J. F. Mitchell	Secretary, Municipal Committee ...	1st October to 10th November 1912 (afternoon).
Mr. H. A. F. Metcalfe	Secretary, Municipal Committee ...	11th November 1912.
M. Mahbub Alam	E. A. C. (Land Acquisition Officer)...	1st October 1912.
L. Daswandhi Ram	Ditto ditto ...	Ditto.
L. Chattar Behari Narayan ...	Munsiff	Ditto.
M. Abdus Samad	Registrar, Small Cause Court, Delhi	Ditto.
Pir Kamar-ud-din	E. A. C. (Revenue Assistant) ...	4th December 1912.
Lieutenant-Colonel D. M. Davidson, I.M.S.	Civil Surgeon	1st October 1912.
Major A. W. Cook Young, I.M.S. ...	Health Officer	Ditto.
Mr. W. D. Salt, I.S.M.D. ...	Assistant to Civil Surgeon ...	Ditto.
M. Mahfuz Ullah	Assistant Surgeon	Ditto.
Bawa Mul Raj, Bedi	Ditto	Ditto.
L. Bhagwati Sahai	Officiating District Inspector of Schools.	Ditto.
Reverend T. H. Dixon	Chaplain	Ditto.
Bawa Budh Singh	Sub-Divisional Officer, Public Works Department.	5th October 1912.
Mr. D. S. Hadow	Superintendent of Police ...	1st October 1912.
Mr. N. L. Keith Wilson	Assistant Superintendent of Police...	1st to 31st October 1912 (afternoon).
Mr. A. R. MacRae	Ditto ditto ...	1st October 1912.
Mr. H. W. Waite	Ditto ditto ...	29th November 1912.
Mr. A. St. G. Beaty	Deputy Superintendent of Police ...	1st October 1912.
K Sheikh Abdulla	Ditto ditto ...	1st November 1912.
Mr. W. G. Clarke	Ditto ditto ...	2nd December 1912.
Mr. Keeling	Chief Engineer	29th November 1912.
Mr. G. F. Mitchell	On special duty in Delhi Municipality	11th November 1912 (for three months).
M. Khazan Singh	Land Acquisition Officer ...	4th December 1912.

By order,

G. F. DEMONTMORENCY,

Personal Assistant to Chief Commissioner.

Punjab Government Press, Lahore—3-1-13—2381—850

CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 31st December 1912.

No. 1891-Home.—The Chief Commissioner is pleased to notify the following appointments in the Province of Delhi with effect from the dates noted:—

Name.	Appointment.	Date.
Major H. C. Beadon ...	Deputy Commissioner ...	1st October 1912.
Mr. [illegible] Jacob ...	Additional District Magistrate ...	Ditto.
Mr. C. L. Dundas ...	Divisional Judge ...	Ditto.
Khwaja Tasadduk Hussain ...	Judge, Small Cause Court ...	Ditto.
Lala [illegible] Lal Khosla ...	District Judge ...	Ditto.
Lala Chuni Lal ...	Subordinate Judge ...	Ditto.
L. [illegible] Chand ...	E. A. C. (Treasury Officer) ...	Ditto.
M. Khazan Singh ...	Do. (Revenue Assistant) ...	Ditto to 3rd December 1912 (afternoon).
Mr. J. Addison ...	Special Land Acquisition Officer ...	8th October 1912.
Mr. D. Johnstone ...	City Magistrate ...	Ditto.
Mr. J. P. Mitchell ...	Secretary, Municipal Committee ...	1st October to 15th November 1912 (afternoon).
Mr. H. A. F. Metcalfe ...	Secretary, Municipal Committee ...	16th November 1912.
M. Mehbub Alam ...	E. A. C. (Land Acquisition Officer) ...	1st October 1912.
R. Dasaundhi Ram ...	Ditto ditto ...	Ditto.
L. Chatter Behari Narayan ...	[illegible] ...	Ditto.
M. Abdul Samad ...	Registrar, Small Cause Court, Delhi ...	Ditto.
Pt. [illegible] ...	E. A. C. (Revenue Assistant) ...	4th December 1912.
Lieutenant-Colonel D. M. Davidson, I.M.S. ...	Civil Surgeon ...	1st October 1912.
Major A. W. Cook Young, I.M.S. ...	Health Officer ...	Ditto.
Dr. [illegible] ...	Assistant to Civil Surgeon ...	Ditto.
K. [illegible] ...	Assistant Surgeon ...	Ditto.
Miss [illegible] ...	Ditto ...	Ditto.
M. [illegible] ...	Officiating District Inspector of Schools ...	Ditto.
Reverend T. H. [illegible] ...	Chaplain ...	Ditto.
[illegible] Singh ...	Sub-Divisional Officer, Public Works Department ...	[illegible] October 1912.
Mr. [illegible] ...	Superintendent of Police ...	1st October 1912.
Mr. [illegible] ...	Assistant Superintendent of Police ...	1st to 3rd October 1912 (afternoon).
Mr. A. [illegible] ...	Ditto ditto ...	1st October 1912.
Mr. H. W. [illegible] ...	Ditto ditto ...	[illegible] December 1912.
Mr. [illegible] ...	Deputy Superintendent of Police ...	1st October 1912.
[illegible] Abdulla ...	Ditto ditto ...	1st November 1912.
[illegible] Clarke ...	Ditto ditto ...	3rd December 1912.
[illegible] ...	Chief Engineer ...	[illegible] November 1912.
Mr. J. P. Mitchell ...	On special duty in Delhi Municipality ...	16th November 1912 (afternoon).
M. Khazan Singh ...	Land Acquisition Officer ...	4th December 1912.

By order,

C. M. [illegible],

Personal Assistant to Chief Commissioner.

Punjab Government Press, Lahore—[illegible]

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JANUARY 10, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED 4TH JANUARY 1913.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Delhi, the 3rd January 1913.

No. 1.—The Governor-General is pleased to accept the resignation by the Hon'ble Mr. William Malcolm Hailey, C.I.E., of his office of Additional Member of the Legislative Council of the Governor-General.

W. H. VINCENT,
Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATION.

KING'S POLICE MEDAL.

Delhi, the 1st January 1913.

No. 1-*C*.—The KING-EMPEROR has been pleased to confer the King's Police Medal on the following officers and men of the Indian Police establishments.

* * * * *

Punjab.

Name of officer and rank.	Statement of services for which in particular the decoration has been conferred.
25. Mr. Douglas Scott Hadow, Superintendent of Police.	On the 24th April 1912 a fire and explosion occurred in the Delhi Fort resulting in several people being blown to pieces. The Police with the fire engines under Mr. Beaty, Deputy Superintendent of Police, were soon on the spot and, in spite of being informed that there were at least 25 live shells still in the building, and of the visible effects of the explosion in the form of shattered human remains lying around, Mr. Hadow, Superintendent of Police, accompanied by Head Constable Ibrahim Khan and Constables Baggu and Bobad, mounted an adjacent wall and played the hose on the burning building and the shells for two hours until the fire was put out. Mr. Beaty with the remainder of the Police then advanced into the danger zone and removed the shells. These officers ran the risk of an appalling death and behaved with extreme gallantry.
26. Ibrahim Khan, Head Constable, of the Delhi District.	
27. Mr. St. George Beaty, Deputy Superintendent of Police.	
28. Constable Baggu of the Delhi District.	
29. Constable Bobad of the Delhi District.	

Name of officer and rank.	Statement of services for which in particular the decoration has been conferred.
30. Mr. Fraser Woodland Toms, Assistant Superintendent of Police.	On the 11th November 1908, a resident of the Shahpur District murdered five persons, was sent for trial and acquitted. On appeal to the Chief Court he was condemned to death, but absconded. From that time until his capture by Mr. Toms on the 9th March 1912, he led a violent and criminal life, associated with the worst characters of the Shahpur, Jhelum and Rawalpindi Districts, and he was known to be armed and desperate. Among other deeds of reckless cruelty he, with others, shot three men dead in the day time and in the presence of villagers of Kot Kalan in the Jhelum District and burned their houses to the ground. On the 6th March 1912 information was received that the man would pass through Haranpur on his way to commit a dakaiti, and Mr. Toms was deputed with a head constable and three constables to wait for him. They proceeded secretly at different times to Haranpur where Mr. Toms learnt that the absconder was being harboured in a house in village Chak Hamid. In the early hours of the morning of the 9th March Mr. Toms went with his subordinates to the house in question. The head constable tapped on the door which was opened by the owner of the house. Mr. Toms seized the latter and pulled him out, and rushing in with his small following, arrested the absconder and the other inmates before they had time to offer resistance. The man was found to be armed with a six-chambered revolver, loaded in 3 chambers, a sword bayonet and a knife.
31. Mian Mala Singh, Inspector of Police.	This officer entered the Police Force as a constable on the 1st April 1875 and by his integrity, ability and detective acumen has raised himself to his present position. During his 37 years' service Mian Mala Singh has gained 8 certificates for specially good work.
32. Ram Singh, Constable ...	This officer has performed three separate acts of gallantry:— (*a*) On the 4th May 1911, a woman attempted to commit suicide by throwing herself down a well in the Ambala Sadr Bazar. Constable Ram Singh immediately went down the well and brought her up. (*b*) On the 22nd January 1912, another woman made a similar and determined attempt to end her life by throwing herself into a well in the Ambala Sadr Bazar in which there was water sufficient to drown her. Constable Ram Singh unhesitatingly followed her into the well where a struggle occurred between him and the woman, who persisted in her attempt to kill herself. The constable ran a risk of being drowned himself, but he successfully brought the woman to the surface. (*c*) On the 19th February 1912 whilst Constables Zakar Hussain and Ram Singh were patrolling on the outskirts of the Ambala Sadr Bazar, they came across four men sitting under a tree. On being accosted by Constable Zakar Hussain they attacked him and felled him unconscious to the ground with a blow from a stick. Constable Ram Singh immediately went to his assistance and was also struck a severe blow across the face, but he grappled with the man who struck him and held him in spite of being beaten by the other three. On assistance arriving the three free men fled, leaving their companion still in the grip of Ram Singh. The man was found to be armed with a "kukri" which he had tried to use and he had four previous convictions.

H. WHEELER,
Secretary to the Government of India,
Home Department.

FOREIGN DEPARTMENT.

ORDER OF THE STAR OF INDIA.

NOTIFICATION.

Delhi, the 1st January 1913.

No 1-*S.I.*—*D.*—His Excellency the Grand Master of the Most Exalted Order of the Star of India is pleased to announce that His Imperial Majesty the KING, EMPEROR OF INDIA, has been graciously pleased to make the following appointments to the said Order :

* * * * * *

To be Companions.

1. RAJA JAI CHAND of Lambagraon, Honorary Lieutenant-Colonel, 37th Dogras.

* * * * * *

By Order of the Grand Master,

A. H. McMAHON,

Secretary to the Most Exalted Order of the Star of India.

ORDER OF THE INDIAN EMPIRE.

NOTIFICATION.

Delhi, the 1st January 1913.

No. 1 *I-E*—*D.*- His Excellency the Grand Master of the Most Eminent Order of the Indian Empire is pleased to announce that His Imperial Majesty the KING, EMPEROR OF INDIA, has been graciously pleased to make the following promotions in, and appointments to, the said Order :

* * * * * *

To be Knights Commanders.

* * * * * *

5. The Honourable Mr. EDWARD DOUGLAS MACLAGAN, C.S.I., Indian Civil Service, Secretary to the Government of India, Department of Revenue and Agriculture, and an Additional Member of the Council of His Excellency the Governor-General for making Laws and Regulations.

* * * * * *

To be Companions.

1. RANA HIRA SINGH OF DHAMI, Simla Hill State, Punjab.

* * * * * *

7. WALTER STANLEY TALBOT, Esquire, Indian Civil Service, Settlement Commissioner, Kashmir State.

* * * * * *

15. ALEXANDER MACDONALD ROUSE, Esquire, Superintendent, Temporary Works, Delhi.

16. CHARLES CAHILL SHERIDAN, Esquire, Officiating Postmaster-General, Punjab and North-West Frontier Province.

17. Major EDWARD MARY JOSEPH MOLYNEUX, D.S.O., Indian Army, Officiating Inspector-General, Imperial Service Troops.

* * * * * *

By Order of the Grand Master,

A. H. McMAHON,

Secretary to the Most Eminent Order of the Indian Empire.

FOREIGN DEPARTMENT.

NOTIFICATION.

Delhi, the 1st January 1913.

No. 100-*D.*—His Imperial Majesty the KING, EMPEROR OF INDIA, has been pleased to confer the honour of Knighthood on—

1. The Honourable Mr JUSTICE FREDERICK ALEXANDER ROBERTSON, Indian Civil Service, Judge, Chief Court, Punjab.

* * * * * *

A. H. McMAHON,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

IMPERIAL SERVICE ORDER.

NOTIFICATIONS.

Delhi, the 1st January 1913.

No. 102-*D.*—His Imperial Majesty the KING, EMPEROR OF INDIA, has been graciously pleased to make the following appointments :—

To be Companions.

* * * * * *

(*b*) Civil Services in India.

* * * * * *

3. WALTER BURR-BRYAN, Esquire, Registrar, Civil Secretariat, Punjab.
4. PANDIT MANI RAM, Deputy Collector, Irrigation Branch, Public Works Department, Muzaffargarh, Punjab.

* * * * * *

A. H. McMAHON,

Secretary to the Government of India.

KAISAR-I-HIND MEDAL.

NOTIFICATIONS.

Delhi, the 1st January 1913.

No. 103-*D.*—His Excellency the Viceroy and Governor-General is pleased to announce that His Majesty the KING, EMPEROR OF INDIA, has been graciously pleased to award the Kaisar-i-Hind Medal of the First Class for Public Service in India to—

* * * * * *

2. REVEREND ALFRED HERBERT HILDESLEY, M.A., Education Department, late Principal, Lawrence Military Asylum, Sanawar, Punjab.

* * * * * *

9. Major ELLACOTT LEAMON WARD, Indian Medical Service, Punjab.

No. 104-*D.*—His Excellency the Viceroy and Governor-General is pleased to award the Kaisar-i-Hind Medal of the Second Class for Public Service in India to—

* * * * * *

2. Sub-Assistant Surgeon MAKKHAN SINGH, Indian Subordinate Medical Department, in sub-medical charge, Cantonment Hospital, Rawalpindi.

* * * * * *

4. Rai Sahib LALA AMAR NATH of Lahore, Joint Secretary, King Edward Memorial Committee, Punjab.

* * * * * *

A. H. McMAHON,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Delhi, the 1st January 1913.

No. 113-*D.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Diwan Bahadur, as a personal distinction, upon—

* * * * * *

Diwan Asa Nand, Member of the Council of Regency, Bahawalpur State, in the Punjab.

* * * *

No. 114-*D.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Sardar Bahadur, as a personal distinction, upon—

Sardar Balwant Singh, retired District Judge, of Botala, Gujranwala district, in the Punjab.

Sardar Chanda Singh, Commandant, 2nd Cavalry, Patiala, in the Punjab.

No. 115-*D.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Khan Bahadur, as a personal distinction, upon—

* * * * *

Mian Shaikh Ahmad, Honorary Magistrate, Muzaffargarh, in the Punjab.

Khan Muhammad Umar Daraz Ali Khan, Mandal, of Karnal, in the Punjab.

Agha Ali Raza Khan, Deputy Superintendent of Police, in the Punjab.

* * * * *

No. 116-*D.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Rai Bahadur, as a personal distinction, upon—

* * * * * *

Rai Megh Singh, Honorary Magistrate, Kulu, in the Punjab.

Rai Sahib Lala Kunj Bihari, Thapar, Secretary, Punjab Public Library, Lahore, in the Punjab.

Rai Sahib Pandit Sheo Narain, Advocate of the Chief Court, in the Punjab.

* * * * * *

Rai Sahib Tej Ram, Executive Engineer, 2nd Division, Temporary Works, Delhi.

* * * * * *

No. 118-*D.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Sardar Sahib, as a personal distinction, upon—

Sardar Bishen Singh, Deputy Superintendent of Police, in the Punjab.

No. 121-*D.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Khan Sahib, as a personal distinction, upon—

* * * * * *

Hafiz Ghulam Rasul, Extra Assistant Commissioner, in the Punjab.

Sheikh Ashraf Ali, Supervisor, Public Works Department, Punjab.

Abdul Karim, Inspector of Police, in the Punjab.

Khair-ud-din, Jailor, in the Punjab.

Ghulam Hussain Khan, Assistant Professor, Punjab Veterinary College, Lahore, in the Punjab.

* * * * * *

Ressaidar Fazldad Khan, 12th Cavalry Horse Farm, Lyallpur, in the Punjab.

Haji Abdul Rahman, Station Master, Kalka-Simla Railway, Simla, in the Punjab.

* * * * * *

No. 122-*D.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Rai Sahib, as a personal distinction, upon—

* * * * * *

Lala Ganesh Das, Multani, a lambardar of Sargodha, Shahpur district, in the Punjab.

Lala Banarsi Das, retired Extra Judicial Assistant Commissioner, in the Punjab.

Lala Phul Chand, Rai, Executive Engineer, Public Works Department, Irrigation Branch, in the Punjab.

Lala Umrao Raja Lal, Senior Assistant Surgeon, in the Punjab.

* * * * * *

Lala Swami Das, Supervisor, Punjab Public Works Department, Temporary Works, Delhi.

* * * * * *

A. H. McMAHON,

Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATIONS.

SEPARATE REVENUE.

INCOME TAX.

Delhi, the 28th December 1912.

No. 681-*F.*—In exercise of the powers conferred by section 28, clause (*a*), of the Co-operative Credit Societies Act, 1912 (II of 1912), the Governor-General in Council is pleased to remit the income-tax payable in respect of the profits of any Co-operative Credit Society for the time being registered under that Act, or of the dividends or other payments received by the members of any such Society on account of profits.

2. The notification of the Finance and Commerce Department, No. 6216-S. R., dated the 30th September 1904, is hereby cancelled.

SEPARATE REVENUE.

STAMPS.

The 28th December 1912.

No. 683-*F.*—In exercise of the powers conferred by section 28, clause (*b*), of the Co-operative Credit Societies Act, 1912 (II of 1912), the Governor-General in Council is pleased to remit the stamp duty, with which, under any law for the time being in force, instruments executed by or on behalf of any Co-operative Credit Society for the time being registered under that Act, or instruments executed by any officer or member of any such Society, and relating to the business of the Society, are respectively chargeable.

2. The notification of the Finance and Commerce Department, No. 6220-S.R., dated the 30th September 1904, is hereby cancelled.

R. W. GILLAN,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

EXCISE.

Delhi, the 4th January 1913.

No. 9540-212.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor-General in Council is pleased to prohibit the taking of molasses, wherever manufactured, from any part of British India into that portion of the Indian possessions of the Government of Portugal which is known as the Pargana of Nagar Avely.

R. E. ENTHOVEN,

Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 1st January 1913.

The KING has approved of the transfer of the undermentioned officer of the Indian Army to the Supernumerary List on completing ten years in civil employ :—

Major Francis Carminowe Nicolas. Dated 23rd October 1912.

VOLUNTEER CORPS.

No. 9.—In exercise of the power conferred by section 3 of the Delhi Laws Act, 1912 (XIII of 1912), the Governor-General in Council is pleased to direct that the powers or duties conferred or imposed on the Local Government under the Indian Volunteers' Act, 1869 (XX of 1869), shall, with respect to the detachments of the Punjab Light Horse and the 1st Punjab Volunteer Rifles located at Delhi, be exercised or preformed by the Lieutenant-Governor of the Punjab, and not by the Chief Commissioner of Delhi.

W. R. BIRDWOOD, MAJOR-GENERAL,

Secretary to the Government of India.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED 4TH JANUARY 1913.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

TARIFF VALUATION OF SUGAR.

The following statement shows in respect of each of the descriptions of sugar distinguished in the Tariff Schedule IV (excepting molasses and all other kinds of sugar), *firstly*, the total imports into India in the month of November, 1912, and the average value per cwt. as calculated on the returns received from the Customs Houses; and *secondly*, a running total showing the total imports into India since the beginning of the year (1st October to 30th September) and the average net value per cwt. so far established. It is published in conformity with the procedure laid down in Customs Circular No. V of 1911 in order to enable merchants to compute the probable rate of duty for the year 1914:—

Description of sugar.	Imported during the month of November 1912.		Imported since 1st October 1912.	
	Quantity.	Average net value per cwt.	Quantity.	Average net value per cwt.
	Cwt.	R. a.	Cwt.	R. a.
Sugar, crystallised, beet	4,000	11 0	5,200	11 12
" " and soft, refined in China ...	72	16 8	3,243	13 0
" " " from Java, 23 Dutch Standard and above.	748,879	9 12	1,546,172	9 12
" " " from Java, 16 to 23 Dutch Standard.	314,599	9 0	988,590	9 0
" " " from Java, 15 Dutch Standard and under.	19	9 0	45,054	8 12
" " " from Mauritius equal to 16 Dutch Standard and over.	427,523	9 8	655,200	9 8

FREDERICK NOËL-PATON,

Director-General of Commercial Intelligence.

R. E. ENTHOVEN,

Secretary to the Government of India.

CALCUTTA;

The 30th December 1912.

Punjab Government Press, Lahore—10-1-13—7533—850

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JANUARY 17, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED 11TH JANUARY 1913.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Delhi, the 9th January 1913.

No. 3.—In exercise of the power conferred by section 17 of the Indian Councils Act, 1861 (24 and 25 Vict. Cap., 67), the Governor-General in Council is pleased to appoint Monday, the 27th January, 1913, at 11 A. M. as the time, and the Council Chamber in the Imperial Secretariat, Delhi, as the place, for a meeting of the Council of the Governor General for the purpose of making Laws and Regulations.

The 11th January 1913.

No. 4.—In accordance with the provisions of the Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor-General of India, published under Notification No 61, dated the 14th November, 1912, the names of the following candidates, elected to be Additional Members of that Council, by the electorates mentioned opposite their respective names are hereby published :—

Name of Candidate.	Electorates.
* * *	* *
Sardar Daljit Singh of Kapurthala ...	Non-official Member of the Council of the Lieutenant-Governor of the Punjab.
* * *	* *

No. 5.—In exercise of the power conferred by section 10 of the Indian Councils Act, 1861 (24 & 25 Vict., c. 67), as modified by the Indian Councils Act, 1909 (9 Edw. 7, c. 4), and in pursuance of the provisions of Regulation I. B. (*a*) of the Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor-General of India, published under Notification No. 61, dated the 14th November, 1912, the Governor-General is pleased to nominate the following person being official, to be Additional Member of the said Council :—

* * * * *

Mr. Arthur Meredith, C.S.I., I.C.S.

* * * * *

No. 6.—In exercise of the power conferred by section 10 of the Indian Councils Act, 1861 (24 and 25 Vict., c. 67), as modified by the Indian Councils Act, 1909 (9 Edw. 7, c. 4), and in pursuance of the provisions of Regulation I. B. (*b*) of the Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor-General of India, published under Notification No. 61, dated the 14th November, 1912, the Governor General is pleased to nominate the following non-official persons, who have been selected from the classes mentioned opposite their respective names to be Additional Members of the said Council :—

Names.	Classes.
Malik Umar Hyat Khan, M.V.O., C.I.E., Tiwana ..	The Muhammadan Community in the Punjab.
Honorary Lieutenant-Colonel Raja Jai Chand of Lambagraon	The Landholders in the Punjab.

W. H. VINCENT,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATIONS.

EDUCATION.

Delhi, the 8th January 1913.

No. 36 *C. D*:—The following circular letter to Local Governments and Administrations regarding the Report on the conference on the education of the domiciled community, with its appendices A & B, is published for general information :—

No. 23-31-C. D.

FROM

THE HON'BLE MR. H. SHARP, C.I.E.,
Joint Secretary to the Government of India,

To

ALL LOCAL GOVERNMENTS AND ADMINISTRATIONS, EXCEPT COORG AND NORTH-WEST FRONTIER PROVINCE.

Delhi, the 8th January 1913.

Department of Education.
EDUCATION.

Sir,

I am directed to forward for the information of the Governor in Council / His Honour the Lieutenant-Governor in Council / His Honour the Lieutenant-Governor / your information a copy of the discussions and resolutions of the conference on the education of the domiciled community which was held in Simla in July 1912. Other copies will be forwarded to you direct by the Superintendent, Government Printing, Calcutta.

2. The object of the conference was to consider and where necessary to make suggestions for improving the facilities open to the domiciled community for obtaining education, in continuation of the conference held at Allahabad in February 1911, to consider similar questions in regard to the educations of Indians. The Government of India desire to recognise the value of the work accomplished by the conference and the zeal and ability displayed by both the official and the non-official members of it. His Excellency in Council has no doubt that the Local Governments will give earnest attention to the problems discussed and the recommendations formulated by so representative a conference on so important a matter.

3. At the outset the Government of India desire to reiterate their adherence to the policy of reliance on private enterprise guided by inspection and aided by grants from public

funds. They are impressed, however, by the needs of the domiciled community and desire as part of the general programme of educational improvement in India that this community should receive a liberal measure of support in supplement to increased efforts on its part to improve the education of its children.

4. In addition to the formal resolutions recorded certain opinions of the conference were placed on (record) in an informal way. These will be found upon pages 12, 16—17, 34, 36 and 38 of the Report and are reproduced in Appendix A of this letter. The first (page 12) relates to the bringing under education of those for whom no facilities are at present available. This recognised in resolutions XIII and XV (2) to be one of the most urgent needs of the community. The Government of India recommend this matter to the special attention of Local Governments. They have already made grants of Rs. 40,000 and Rs. 30,000 a year respectively to the Local Governments of Bengal and Madras in order to relieve the situation in the towns of Calcutta aud Madras where the state of the poorer members ef the domiciled community was said to call for specially urgent attention. The fourth (page 36) regarding the formation of local syndicates or standing consultative committees to give effect to the recommendations of the conference is one to which much importance was attached by the conference. The second, third and fifth deal respectively with a suggested experiment in training teachers, with forms of trust-deeds and with the importance of saving girls from mental and physical pressure. These are important matters on which the Government of India await the matured views of Local Governments.

5. The resolutions will be found on pages 41—44 of the Report and are reproduced in appendix B of this letter. The Government of India think that it will be convenient if they give some, necessarily general, indication of their opinion in regard to some of these resolutions while recognising that uniformity is not attainable owing to varying conditions in different parts of India and local differences of system and reserving their final opinion until they are in possession of the views of Local Government.

Resolution I. Compulsory Education.—The Government of India while quite ready to recognise in principle the desirability of in troducing compulsory education in certain areas are inclined to think that the practical objections to such action are at present not less great than they have been found to be in the case of Indian children.

Resolution II. Grading of Schools.—The desire to introduce a more modern and practical form of education for the majority of the boys entirely commends itself to the Goverment of India. They will be glad to have the views of Local Governments whether this can be attained by grading of schools or in other ways.

Resolution III. Remuneration of Teachers.—His Excellency in Council concurs in resolutions XIII and XV (*ii*) which place the improved remuneration of teachers in the forefront of the programme side by side with the reclamation to education of the boys and girls who do not attend school. As regard the particular proposals of the conference the views of Local Governments are awaited.

Resolution IV. Training of Teachers.—The Government of India are already considering the question of the institution of a new Government training college at Bangalore. Should they decide to do so they will not be prepared in addition to provide funds for special studentships tenable abroad for training teachers. But they are disposed to commend to the favourable notice of Local Governments the suggestion that one scholarship to be held abroad should be given to a member of the domiciled community in each major province every year and in other provinces as necessary.

Resolution V. Collegiate Education.—The Government of India have no desire to prejudge the question but apart from any question of policy involved, they are disposed to think on the information before them that there is not a sufficient demand for collegiate education to justify the foundation of an university arts college for the domiciled community. Subject to the opinions of Local Governments they are disposed to think that the case would be met by the attachment of arts and science graduate courses to a training college and the erection of special hostels for members of the domiciled community at certain colleges. Should a training college be established at Bangalore the former measure would seem to meet the needs of southern and the latter measure of northern India.

In view of the approaching enquiries of a Royal Commission on the public services in India the Government of India do not propose to institute separate enquiry on the question whether avenues of employment have or have not been closed to the domiciled community.

Resolution VI. Grants-in-aid.—The Government of India will be glad to have the views of Local Governments on the recommendations of the conference in the matter of grants.

Resolution VII. Concentration of Schools.—The Government of India commend the general conclusion of the conference to the notice of Local Governments. The difficulties in the matter of concentration are well known. I am to ask whether any practical scheme of concentration can be elaborated but to suggest that the replies on other points referred in this letter should not be delayed until this has been done.

Resolution VIII. Examinations and Certificates.—The questions raised by this comprehensive resolution are both difficult and important. The opinions of Local Governments are awaited, as also in regard to *resolution IX, award scholarships ; resolution X, special scholarships for soldiers' children ; resolution XI, medical inspection and supervision ; and resolution XII, administration and inspection.*

Resolution XIV. Instruction in Temperance.—The Government of India attach special importance to this resolution and would be glad to know how effect can best be given to it.

Resolution XV. Education of Women.—The Government of India accept the view that a separate All-India Conference on the education of girls is not necessary. They must leave it to Local Governments to decide whether local conferences are necessary. They are considering the question of instituting a State scholarship to be given annually for girls of the domiciled community and do not propose to give more than one such scholarship themselves. The other questions mentioned are referred to Local Governments.

6. The organisation of European education is peculiar in being governed not by separate provincial codes but by a single All-India code, adapted where need be to suit local conditions. The view was expressed at the conference that European education should be centralised under the Government of India. This is neither desirable nor practicable, but there are obvious advantages in a certain measure of uniformity in some matters such as grants-in-aid, examinations and certificates, etc. It will be convenient in stating their views as to reforms if Local Governments indicate what alterations are required in the code, and whether those alterations should be of a general nature or should apply only to their own provinces.

7. The Government of India desire that with the consent of His Excellency in Council / His Honour in Council / His Honour the Lt.-Governor the whole question may now be examined with a view to the presentation of comprehensive schemes of reform, accompanied by such general estimates of cost as it may be possible to draw up. They are unable to say at present what grants they will be able to provide from Imperial revenues but they intend to give so much support as the financial position may for the time being permit.

APPENDIX A.

Page 12. 1. The general sense of the Conference was expressed as follows :—

(*i*) That in order to break down illiteracy and meet the needs of the poorer members of the community free and low-fee boarding schools should be encouraged by more liberal grants, the grants continue till the pupils reached the age of 18 as was already the case in some provinces, and that arrangements should be made, where possible, to attach destitute children to practical pursuits, agricultural and industrial on the lines of Kalimpong and efforts made to get them apprenticed in Government factories, firms, the mints, etc., and further that fee grants should be given as in Bombay to day schools throughout India.

(*ii*) That the state of the poorer members of the domiciled community in Calcutta and Madras calls for specially urgent attention.

Pages 16-27. 2. The Conference were generally of opinion that there were great difficulties in the way of introducing a pupil-teacher system as a method of selecting young men for the training college. They thought that as a system of selection for entrance into the training college apprentice teachers might be tried at once experimentally in selected schools during a period of probation provided that adequate arrangements were made for instruction and supervision and provided that the staff of the selected schools was not reduced.

Page 94. 3. It was the sense of the Conference that the form of Trust Deed executed in reference to a building grant should be revised so as to allow for depreciation of the building and the clearance of all liability within a fixed term of years.

Page 36. 4. The general sense of the non-official members was invited. They were unanimously of opinion that Syndicates or Consultative Committees for convenient areas should be formed to assist in giving effect to the recommendations of this Conference in due course.

Page 38. 5. It was the sense of the Conference that it was very important to save the girls from mental and physical pressure.

APPENDIX B.

RESOLUTIONS OF THE CONFERENCE.

Resolution I. Compulsory Education. Page 3.—The Conference desire to press upon the attention of Government their opinion that the introduction of compulsory education is necessary to secure that certain classes of the domiciled community, in their own interests and in those of the general public, attend school. They recognize tnat this will involve the introduction of free education for all who cannot pay fees.

Resolution II. Grading of Schools. Page 8.—The Conference recommend to the ention of Government that :—

(*i*) The great majority of the high schools for boys in India should adopt a more definitely modern and practical curriculum, such as is referred to in the resolutions of the Calcutta Committee as "secondary;"

(*ii*) Besides these schools a few schools are required with a curriculnm leading to the universities and liberal professions, to be called "Collegiate Schools", but to be schools and not colleges.

(*iii*) Government should be invited to determine, in consultation with the managers of schools, what existing schools should be collegiate schools, or whether new schools should be founded.

Resolution III. Remuneration of Teachers. Page 14.—The Conference recommend that :—

(*i*) Salaries of teachers need to be raised, teachers whether recruited in England or in India should in all cases be given incremental salaries reaching a maximum as a rule in ten years ; generally speaking initial salaries are insufficient, and it should be obligatory on all schools to start provident funds.

(*ii*) Government be urged to make grants to these ends.

(*iii*) Free education or education at special rates should be obligatory in Government schools and recommended to aided schools for the children of teachers in active employment in those schools.

Resolution IV. Training of Teachers. Page 18 .—The Conference recommend to the attention of Government that :—

(*i*) In view of the provision necessary for the large numbers of children of school-going age at present attending no school, of the numbers of untrained teachers at present in the schools, of the probability of male teachers replacing to some extent women teachers if salaries are raised, and of the attractions of higher salaries generally, a Government training college or colleges for men be established as early as possible at suitable centres.

(*ii*) It was considered that the first new Government training college should be established at Bangalore.

(*iii*) One scholarship to be held abroad should be given to a member of the domiciled community in each major province in every year and in other provinces as necessary.

(*iv*) So long as Government recognise the necessity, a certain number of studentships be created for men and women of approved educational qualifications for the purpose of training as teachers abroad, and such studentships should cover all expenses of passage, maintenance and training; provided that this wonld not prejudice the resolution (*iii*) already carried.

Resolution V. Collegiate Education. Page 21.—The Conference recommend to Government that :—

(*i*) A separate University arts college should be instituted, either affiliated, if possible, to a Western university or self-contained and conferring its own degrees.

(*ii*) If this be found to be impracticable there be added in connection with at least one of the training colleges for teachers, arts and science graduate courses both for the advantage of the candidates for the teaching diplomas and also for such other Anglo-Indian students as desire to take advantage of them ; and the college be affiliated to a recognised university.

(*iii*) In addition, that good hostels for the members of the domiciled community be erected in connection with existing colleges, where such are required.

(*iv*) One great obstacle to the spread of higher education among the domiciled community is the belief common amongst them that avenues of employment formerly open have

been closed to them ; in the interests of the spread of higher education Government should be asked to institute an inquiry as to whether the belief in question is well founded, and, if that is shown to be the case, steps should be taken to provide the remedy.

Resolution VI. Grants-in-aid. Page 26.—The Conference are strongly of opinion that :—

(*i*) The Government grants to schools should be of such amount and given in such a way as to enable all schools, that are recognised by the provincial education departments as necessary, to be efficient in the grade in which thay are classed.

(*ii*) The auditing of accounts of European schools should be made a distinct and separate function of the Accounts Department, and either a single auditor appointed for all India, or separate auditors for each province or each inspectional jurisdiction, as the Government may think necessary, and the school audit should be conducted on the school premises.

(*iii*) Provided all school accounts are complete and audited by a properly qualified person, the income and expenditure of every school should be budgeted for a period of one or more years and the Government grant should be calculated to be of such definite total sum as, with the estimated income from other sources, will be sufficient to enable the total income to equal the expenditure necessary to make the school work efficiently.

Resolution VII. Concentration of schools. Page 26.—The Conference resolve that concentration of schools is desirable where possible.

Resolution VIII. Examinations and Certificates. Page 31.—The Conference are of opinion that :—

(*i*) Two kinds of Government certificates should be awarded to the pupils of secondary schools : *First School Certificates* and *Leaving Certificates.*

The First School Certificate should be awarded to those pupils whose school records show :—

(*a*) that they have been in regular attendance at a secondary school for at least three years ;

(*b*) that they have completed an approved course of general education as set forth in their school record ;

(*c*) that they have passed the recognised external examination in the subjects prescribed by the department.

The Leaving Certificate should be awarded to those pupils whose school records show :—

(*a*) that they have been in regular attendance at a secondary school for two years after obtaining the First School Certificate ;

(*b*) that they have completed an approved further course of education as set forth in their school record ;

(*c*) that they have passed the recognised external examination in the subjects prescribed by the department.

(*ii*) For the present the Cambridge University Junior School Certificate Examination or the Cambridge Senior * Local Examination be the recognised external examination for the *First School Certificate*, and the Cambridge University Senior School Certificate Examination or the Cambridge University Higher Local Examination or the Cambridge Senior Local Examination be the recognised external examination for the *Leaving Certificate.*

(*iii*) The pupils in high and collegiate schools should be submitted to no other external examinations than those mentioned above. And no school shall without special sonction offer candidates for both the Cambridge School Certificates and the Cambridge Senior *Local Examinations.

(*iv*) The Government should take action to secure—

(*a*) That the Leaving Certificates of high and collegiate schools shall be accepted as a preliminary educational qualification for admission to service in specified grades in the departments of Government.

(*b*) That the Leaving Certificates of collegiate schools shall confer exemption from such preliminary examination of professional and other bodies as it may be possible to arrange.

---

*Before these resolutions where finally passed, all mention of the Cambridge Junior Local Examination was omitted, at the suggestion of certain members. Mr. Arden Wood, when looking over the proof, pointed out that this was incorrect, and that in (*ii*), "Senior" in the second line should read "Junior", and that, in (*iii*) "Senior," in the last line should be omitted. Mr. Rocksborough Smith also drew attention to the error.

Resolution IX. Award of Scholarships. Page 33.—The Conference are of opinion that it must be left to the departments to decide the best way in which to award scholarships, but they record a strong opinion that boys and girls of 11 and 12 years of age ought not to be submitted to the strain of a competitive examination.

Resolution X. Special Scholarships for Soldiers' children. Page 33.—The Conference are of opinion that, in view of the fact that the children of soldiers serving in India are placed at a disadvantage as compared with those at home owing to the latter being eligible to compete for County Council and other scholarships at secondary schools, a certain number of free pupilships in high schools should be awarded to childern attending regimental schools in India.

Resolution XI. Medical inspection and supervision. Page 34.—The Conference recommend that :—

(*i*) Government should appoint medical officers who shall examine at least once during each school term the pupils in each school.

(*ii*) The said medical officers should have statutory powers to enforce regulations regarding sanitary or hygienic arrangements in school buildings and dormitories.

(*iii*) Provision be made to give gratuitous medical treatment (including the furnishing of spectacles) to necessitous pupils.

Resolution XII. Administration and Inspection. Page 35.—The Conference recommend that the inspecting staff should be increased, that the Inspector of European Schools should wherever possible be a whole-time Inspector and that Inspectors of European Schools should, if possible, be appointed for a term of five years.

Resolution XIII. Urgency of Measures. Page 36.—The Conference express the opinion that of the resolutions of this Conference for which financial aid will be required, the most urgent are the education of those children who do not at present attend school, and the improvement of the pay and prospects of the teachers.

Resolution XIV. Instruction in Temperance. Page 36.—The Conference, recognising disastrous results of intemperance, and being convinced that no part of education is more truly practical than that which aims most directly at the improvement of moral character and the formation of strong and good habits in the young members of any community, earnestly recommend that in courses of instruction in general hygiene and physiology there be included special instruction in temperance and the effects of alcohol on the human body, and they desire to draw the special attention of Government to this very important matter.

RESOLUTIONS OF THE CONFERENCE.

Resolution XV.—Education of Women. Page 37.—The Conference consider that :—

(*i*) Inasmuch as a great many of their recommendations in regard to the education of boys apply *mutatis mutandis* to girls, a separate All-India Conference on the eduction of girls is not necessary, though local conferences may be desirable in some provinces.

(*ii*) The two most urgent problems in the case of girls as in the case of boys are the extention of education among the illiterate, and the improvement of the pay and prospects of teachers.

(*iii*) No new Government central training college is required in the case of girls; but all encouragement should be given to existing institutions, it being secured that in any province in which all training is in the hands of one denomination, facilities should be given for the erection in connection with it of hostels for the use of members of other denominations or that in some way or other due provision be made for their training.

(*iv*) The applicability to schools for girls of the recommendations of this Conference in connection with the classification of schools, the curricula, examinations and scholarships be referred to Local Governments for further consideration after consultation with experts in the education of girls.

(*v*) The Government should be asked favourably to consider the grant of scholorships for girls tenable abroad.

The 9th January 1913.

No. 41-*C. D.*—The services of Lala Debi Prasad, District Inspector of Schools, Delhi, are placed at the disposal of the Hon'ble the Chief Commissioner of Delhi with effect from the 18th November 1912.

H. SHARP

Joint Secretary to the Government of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATION.

CIVIL VETERINARY ADMINISTRATION.

Delhi, the 10*th January* 1913.

No. 34-163.—Mr. W. A. Pool has been appointed to the Indian Civil Veterinary Department with effect from the 27th December 1912 and is posted to the Punjab.

E. D. MACLAGAN,

Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATION.

SEPARATE REVENUE.

OPIUM.

Delhi, the 10*th January* 1913.

No. 41.-*F. E.*—It is hereby notified for general information that—

(1) Sales of Bengal certified opium from and including the sale fixed for May 1913 will be suspended until further notice.

(2) At each of the monthly sales in May to December 1913 not more than 575 chests of uncertified opium will be offered for sale of which not more than 100 chests will be Patna and not more than 475 chests Benares Opium.

R. W. GILLAN,

Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 10*th January* 1913.

INDIAN SUBORDINATE MEDICAL DEPARTMENT.

ASSISTANT SURGEON BRANCH.

Bengal Establishment.

No. 18.—The following promotions are made, subject to His Majesty's approval:—

* * * * * * *

1st Class Assistant Surgeon James Francis Fleming (*seconded*) to be Senior Assistant Surgeon, with the honorary rank of Lieutenant (*seconded*),

* * * * * * *

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

Punjab Light Horse.

No. 25.—Lieutenant Evelyn Robins Abbot resigns his commission. Dated the 7th December 1912.

Simla Volunteer Rifles.

No. 27.—Second Lieutenant Stephen Baintyn Stephens to be Lieutenant, to fill an existing vacancy. Dated the 1st July 1912.

W. R. BIRDWOOD, MAJOR-GENERAL,

Secretary to the Government of India.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

NOTIFICATION.

Simla, the 9th January 1913.

No. 9.—In pursuance of sub-section (1) of Section 135 of the Indian Railways Act, 1890 (IX of 1890), and in continuation of the Notification of the Government of India in the Railway Department, No. 219, dated the 5th November 1912, the Governor-General in Council is pleased to declare that the administration of the North-Western Railway shall be liable to pay in aid of the funds of the local authority set out in the Schedule hereto annexed the tax specified in the second column thereof.

Local Authority.	Tax.
1	2
Gujar Khan Municipality	House tax.

R. C. F. VOLKERS,
Secretary, Railway Board.

Punjab Government Press, Lahore—17-1-13—2634—850

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

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LAHORE, FRIDAY, JANUARY 24, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED 18TH JANUARY 1913.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Delhi, the 15th January 1913.

Corrigendum.

No. 7.—In Legislative Department notification No. 4, dated the 11th January 1913, published in Part I of the *Gazette of India* of the same date, *for* "Sardar Daljit Singh of Kapurthala" *read* "Sardar Daljit Singh of Jullundur."

The 16th January 1913.

No. 8.—The following Statute is published for general information:—

THE MARRIAGES IN JAPAN (VALIDITY) ACT, 1912.

[2 & 3 Geo. 5, Ch. 15.]

AN ACT TO REMOVE DOUBTS AS TO THE VALIDITY OF CERTAIN MARRIAGES SOLEMNIZED IN THE EMPIRE OF JAPAN.

[13th December, 1912.]

WHEREAS doubts have been entertained with respect to the validity of certain marriages (both or one of the parties thereto being subjects or a subject of this realm) solemnized in the Empire of Japan since the sixteenth of July eighteen hundred and ninety-nine (being the date when a treaty between Her late Majesty Queen Victoria, and His Majesty the Emperor of Japan, dated the sixteenth of July eighteen hundred and ninety-four came into force), and it is expedient to remove those doubts:

Be it therefore enacted by the King's most Excellent Mjeasty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows :—

Validation of certain marriages. 1. All marriages (both or one of the parties thereto being subjects or a subject of this realm) solemnized before the passing of this Act in the Empire of Japan, which would have been valid if solemnized immediately before the said sixteenth of July eighteen hundred and ninety-nine, shall be and shall be deemed always to have been as valid in law as if they had been solemnized within His Majesty's dominions with the due observance of all forms required by law :

Provided that this Act shall not render valid any marriage which before the passing of this Act has been declared invalid by any court of competent jurisdiction, or affect any right dependent on the validity or invalidity thereof, or render valid any marriage either of the parties to which has subsequently during the life of the other lawfully intermarried with any other person.

Short title. 2. This Act may be cited as the Marriages in Japan (Validity) Act, 1912.

W. H. VINCENT,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.

DELHI.

Delhi, the 13th January 1913.

No. 295 *C.*—The services of the undermentioned Government Pleaders and Public Prosecutors are placed at the disposal of the Chief Commissioner of Delhi with effect from the dates noted against them :—

Mr. Mohammad Ismail Khan, Bar.-at-Law, from the 1st October 1912 forenoon.

Lala Mool Chand, Pleader, from the 12th November 1912 forenoon.

No. 298 *C.*—The services of Mr. Mahbub Alam, Extra Assistant Commissioner, are replaced at the disposal of the Government of the Punjab with effect from the forenoon of the 4th November 1912.

The 16th January 1913.

No. 388 *C.*—The services of Mr. N. L. K. Wilson, Assistant Superintendent of Police, are replaced at the disposal of the Government of the Punjab, with effect from the forenoon of the 1st November 1912.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

SANITARY.

Delhi, the 14th January 1913.

No. 42 *C. D.*—The services of Mr. Khwaja Abdul Rahman, M.B., Ch.B., Plague Medical Officer, Delhi, are placed at the disposal of the Cheif Commissioner of Delhi.

L. C. PORTER,

Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 17th January 1913.

PROMOTIONS.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 38.—Consequent on the return from leave of Lieutenant-Colonel W. C. C. Leslie, Indian Army, the following reversions in the Cantonment Magistrates' Department are notified :—

Major R. R. Vaughan, Indian Army, Cantonment Magistrate, 2nd Grade (officiating 1st Grade), to revert to his substantive appointment, and

* * * * *

with effect from the 19th October 1912.

No. 40.—Consequent on the retirement of Major R. L. Morris, Indian Army, Cantonment Magistrate, 3rd Grade, the following promotions are notified :—

* * * * *

Captain W. D. Reid, 81st Pioneers, officiating Assistant Cantonment Magistrate, to be Assistant Cantonment Magistrate, substantively ;

with effect from the 3rd January 1913.

W. R. BIRDWOOD, MAJOR-GENERAL,
Secretary to the Government of India.

DIRECTOR-GENERAL, INDIAN MEDICAL SERVICE.

NOTIFICATIONS.

Simla, the 13*th January* 1913.

No. 9.—The services of 3rd class Assistant Surgeon W. C. W Fordham, I.S.M.D., are placed at the disposal of the Director, Royal Indian Marine, with effect from the 15th December 1912.

No. 10.—The services of 4th class Assistant Surgeon A. R. D'Abreu, I.S.M.D., are placed at the disposal of the Government of the Punjab, for temporary civil employment with effect from the 13th December 1912.

B. SETON, LIEUT-COL., I.M.S.,
for *Director-General, Indian Medical Service.*

Punjab Government Press, Lahore—24-1-13—2684—850

Government Gazette
PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JANUARY 31, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED 25TH JANUARY 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

POLICE.

Delhi, the 24th January 1913.

No. 570-*C.*—The services of Mr. D. Petrie, Assistant Director, Criminal Intelligence, are placed at the disposal of the Chief Commissioner of Delhi with effect from the 23rd December 1912.

No. 572-*C.*—The services of Mr. C. Stead, M.V.O., Punjab Police, are placed at the disposal of the Chief Commissioner of Delhi with effect from the 25th December 1912.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURAL.

NOTIFICATIONS.

FORESTS.

Delhi, the 24th January 1913.

No. 98-*C.*—The undermentioned officers who have been appointed by His Majesty's Secretary of State for India to the Forest Department in India, are appointed to be Assistant Conservators of Forests with effect from the dates specified opposite their names and are posted to the provinces named below :—

* * * * * * *

Mr. J. T. Millers, Punjab ... 5th December 1912 (forenoon).

* * * * * * *

No. 99-*C.*—The undermentioned officers who were detained in the United Kingdom for an extra year to undergo special courses of study in Forestry and who have been appointed by His Majesty's Secretary of State for India to the Forest Department in India, are appointed to be Assistant Conservators of Forests with effect from the dates specified opposite their names and are posted to the provinces named below :—

* * * * * * *

Mr. C. F. C. Beeson, Punjab ... 25th November 1912 (forenoon).

* * * * * * *

Their periods of service for pension will commence one year before the dates mentioned above.

E. D. MACLAGAN,

Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 24th January 1913.

PROMOTIONS.

INDIAN MEDICAL SERVICE.

No. 74.—The following promotions are made, subject to His Majesty's approval :—

Captains to be Majors.

27th December 1912.

* * * * * * *

Charles Edward Southon, M.B.

* * * * * * *

W. R. BIRDWOOD, MAJOR-GENERAL,

Secretary to the Government of India.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

NOTIFICATION.

Simla, the 22nd January 1913.

No. 32.—The following is published for general information :—

No. 219-R. E.

GOVERNMENT OF INDIA.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

Simla, the 18th January 1913.

Change of the designations of "Manager" and "Traffic Superintendent" of the three State-worked Railways, *viz.*, the North-Western, Eastern Bengal, and Oudh and Rohilkhand Railways, to "Agent" and "Traffic Manager," respectively.

The Governments of Madras and the Punjab, Public Works Department.
The Government of Bombay, Public Works Department.
The Government of Bombay, Political Department.
The Government of Bengal, Railway and Marine Department.
The Government of Burma, Commerce and Industry Department.
The Governments of the United Provinces and Bihar and Orissa, Public Works Department.
The Hon'ble the Chief Commissioner of Assam.
The Hon'ble the Agent to the Governor-General for Rajputana.
The Hon'ble the Chief Commissioner of the Central Provinces.
The Hon'ble the Resident in Mysore and Chief Commissioner, Coorg.
The Hon'ble the Agent to the Governor-General in Central India.
The Hon'ble the Agent to the Governor-General and Chief Commissioner in Baluchistan.
The Hon'ble the Chief Commissioner and Agent to the Governor-General in the North-West Frontier Province.
The Managers, North-Western, Eastern Bengal, and Oudh and Rohilkhand Railways.
The Senior Government Inspectors of Railways, Circle Nos. 1 to 7.
The Secretary, Indian Railway Conference Association.
The Chief Inspector of Explosives in India.
The Agents, Assam-Bengal, Barsi Light, Bengal and North-Western, Bengal-Nagpur, Bombay, Baroda and Central India, Burma, East Indian, Great Indian Peninsula, Madras and Southern Mahratta, Rohilkhand and Kumaon, and South Indian Railways.
The Agent and Manager, His Highness the Nizam's Guaranteed State Railways (through the Hon'ble the Resident at Hyderabad).
The Managers and Engineers-in-Chief, Bengal Dooasr, Gondal-Porbandar, Jamnagar and Junagad Railways.
The Manager and Executive Engineer, Morvi Railway.
The Manager, Bhavnagar Railway.
The Superintending Engineer, Gwalior Light Railways.

RESOLUTION.—In order to secure uniformity and to save Managers of State Railways being troubled with matters properly appertaining to the Traffic Department, and to make the actual position clearer to the general public, it has been decided to change the designations of "Manager" and "Traffic Superintendent" of the three State-worked Railways, *viz.*, the North-Western, Eastern Bengal, and Oudh and Rohilkhand Railways, to "Agent" and "Traffic Manager," respectively, to correspond with the designations used on other Railways.

ORDER.—Ordered that this Resolution be communicated to the Local Governments and Administrations, and officers noted on the margin, for information.

Ordered also, that it be published in the *Gazette of India*.

R. C. F. VOLKERS,
Secretary, Railway Board.

Punjab Government Press, Lahore—31-1-13—2730—850

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, FEBRUARY 7, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JANUARY 25, 1913.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 16th January 1913.

No. 4.—With reference to Public Works Department Notification No. 40, dated the 25th July 1912, the services of Mr. R. L. Colbourne, Executive Engineer, Punjab, are replaced at the disposal of the Government of the Punjab with effect from the afternoon of the 13th January 1913.

W. B. GORDON,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 1, 1913.

HOME DEPARTMENT.

NOTIFICATION.

POLICE.

Delhi, the 30th January 1913.

No. 724-*C.*—Mr. F. C. Isemonger, a Superintendent of Police in the Punjab, is appointed to officiate as Assistant Director of Criminal Intelligence, with effect from the date on which he may assume charge of that office.

H. WHEELER,

Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 31st January 1913.

PROMOTIONS.

INDIAN MEDICAL SERVICE.

No. 96.—The following promotions are made, subject to His Majesty's approval:—

Majors to be Lieutenant-Colonels.

30th January 1913.

* * * * * * * *

Richard Heard, M.B.

* * * * * * * *

Paxton St. Clair More, M.B.

* * * * * * * *

Captains to be Majors.

29th January 1913.

* * * * * * * *

Robert McLauchlan Dalziel, M.B.

* * * * * * * *

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

Punjab Light Horse.

No. 101.—Lieutenant Geoffrey Gordon to be Captain, *vice* E. G. Rivett, transferred to the Supernumerary List. Dated the 4th January 1913.

MEDALS AND DECORATIONS.

No. 109.—His Excellency the Governor-General of India is pleased to confer the Volunteer Officers' Decoration upon the undermentioned officers :—

1st Battalion, North-Western Railway Volunteer Rifles.

Major Ernest Sydney Strong.

W. R. BIRDWOOD, MAJOR-GENERAL,

Secretary to the Government of India.

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Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, FEBRUARY 14, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 8, 1913.

HOME DEPARTMENT.

NOTIFICATION.

JUDICIAL.

Delhi, the 3rd February 1913.

No. 852 *C.*—In exercise of the power conferred by section 29 of the Code of Civil Procedure, 1908 (Act V of 1908), the Governor-General in Council is pleased to declare that the provisions of that section apply to the Civil Courts in France, Spain, Belgium, Russia, Germany and Portugal.

H. WHEELER,

Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 7th February 1913.

PROMOTIONS.

INDIAN ARMY.

No. 112.—The following promotions are made, subject to His Majesty's approval :—

Majors to be Lieutenant-Colonels.

5th February 1913.

* * * * * * * *

Richard Randal Vaughan, Supernumerary List.

* * * * * * * *

CANTONMENTS.

REGULATIONS.

No. 129.—In exercise of the powers conferred by section 24 of the Cantonments Act, 1910 (XV of 1910), the Governor-General in Council is pleased to amend the Cantonment Code, 1912, to the extent set forth below :—

After section 66 the following shall be inserted—

"66 A.—Notwithstanding anything in this Code, Government land in a Cantonment may be occupied by a Government department on such terms and conditions and subject to such restrictions as the Governor-General in Council may by general or special order prescribe."

No. 130.—The following draft of rules which it is proposed to make in exercise of the powers conferred by section 24 of the Cantonments Act, 1910 (XV of 1910), is published as required by section 25, sub-section (1) of the said Act, for the information of persons likely to be affected thereby, and notice is given that the draft will be taken into consideration by the Governor-General in Council on or after the 8th March 1913.

Any objection or suggestion, which may be received from any person with respect to the draft before the date fixed aforesaid, will be considered by the Governor-General in Council.

Draft rules.

In the Cantonment Code, 1912, which was published with the notification of the Government of India in the Army Department, No. 192, dated the 1st March 1912, the following modifications shall be made, namely :—

At the end of section 21 the following shall be inserted—

"*Exception.*—In the case of the conservancy establishments of Indian units the powers detailed in the two foregoing sections shall be exercised by the Officers Commanding such units."

W. R. BIRDWOOD, MAJOR-GENERAL,
Secretary to the Government of India.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

NOTIFICATION.

Simla, the 6th February 1913.

No. 45.—It is hereby notified for general information that His Majesty's Secretary of State for India has sanctioned the construction of a railway on the 2 feet 6 inches gauge from Laki on the Kalabagh-Bannu Railway under construction, to Tank, *viâ* Pezu, a length of about 48 miles, as an integral part of the North-Western Railway.

The project will be known as the Laki-Pezu-Tank Railway.

R. C. F. VOLKERS,
Secretary, Railway Board.

Punjab Government Press, Lahore—14-2-13—2870—850

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, FEBRUARY 21, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 15, 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

DELHI.

Delhi, the 8th February 1913.

No. 1001-*C.*—The services of Mr. W. G. Clarke, Deputy Superintendent of Police, are replaced at the disposal of the Government of the Punjab with effect from the date on which he relinquishes charge of his duties at Delhi.

MEDICAL.

The 14th February 1913.

No. 1117-*C.*—Lieutenant-Colonel C. H. James, C.I.E., F.R.C.S., I.M.S., Officiating Civil Surgeon, Simla (West), is granted privilege leave for one month with effect from the 15th January 1913.

No. 1118-*C.*—Lieutenant-Colonel H. A. Smith, M.B., I.M.S., Civil Surgeon, Simla (East), is appointed to officiate as Civil Surgeon, Simla (West), during the absence on leave of Lieutenant-Colonel C. H. James, C.I.E., F.R.C.S., I.M.S., in addition to his own duties.

PORT BLAIR.

The 14th February 1913.

No. 1123-*C.*—Lieutenant-Colonel M. W. Douglas, C.I.E., Deputy Commissioner, 1st grade, Punjab, is appointed to officiate until further orders as Superintendent, Port Blair, and Chief Commissioner of the Andaman and Nicobar Islands, with effect from the 17th February 1913, or the subsequent date on which he may assume charge of that office, *vice* Lieutenant-Colonel H. A. Browning on privilege leave.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

ECCLESIASTICAL.

Delhi, the 14th February 1913.

No. 35-*C.-D.*—The Reverend Henry Craven Carden, M A., has been appointed to be a Chaplain on probation on the Bengal (Lahore) Ecclesiastical Establishment to fill an existing vacancy.

L. C. PORTER,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATIONS.

CIVIL VETERINARY ADMINISTRATION.

Delhi, the 14th February 1913.

No. 160-*C.*—The services of Mr. H. E. Cross, M.R.C.V.S., D.V.H., A.Sc., Indian Civil Veterinary Department, are placed at the disposal of the Government of the Punjab with effect from the afternoon of the 14th January 1913.

No. 161-*C.*—Mr. D. Meadows, M.R.C.V S., Indian Civil Veterinary Department, has been posted to the Imperial Bacteriological Laboratory at Muktesar as Assistant Bacteriologist, with effect from the 17th January 1913.

E. D. MACLAGAN,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 10th February 1913.

No. 260-*I. B.*—Whereas the Governor-General in Council has in certain cases jurisdiction within the territories of His Highness the Maharaja of Jammu and Kashmir :

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to apply to the said territories for the purpeses of such cases the enactments specified in the first schedule hereto annexed, in so far the same may be applicable and subject to any amendments to which the enactments are for the time being subject in British India.

II.—The notifications of the Government of India in the Foreign Department mentioned in the second schedule hereto annexed are hereby cancelled or amended to the extent noted against each.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued, but that, save as aforesaid, all proceedings commenced, officers appointed or authorized, jurisdictions or powers conferred or confirmed, notifications published, rules or bye-laws made, orders passed and things done under any of the enactments specified in the notifications hereby susperseded in the said territories shall be, as far as may be, deemed to have been respectively commenced, appointed or authorized, conferred or confirmed, published, made, passed and done, under the corresponding enactments specified in this notification.

First Schedule.

The Judicial Officers' Protection Act, 1850 (XVIII of 1850).
The Indian Penal Code (Act XLV of 1860).
The Indian Succession Act, 1865 (X of 1865).
The Court-fees Act, 1870 (VII of 1870).
The Indian Evidence Act, 1872 (I of 1872).
The Indian Contract Act, 1872 (IX of 1872).

The Government Savings Banks Act, 1873 (V of 1873).
The Indian Oaths Act, 1873 (X of 1873).
The Indian Majority Act, 1875 (IX of 1875).
The Probate and Administration Act, 1881 (V of 1881).
The Indian Telegraph Act, 1885 (XIII of 1885).
The Provincial Small Cause Courts Act, 1887 (IX of 1887).
The Succession Certificate Act, 1889 (VII of 1889).
The Guardians and Wards Act, 1890 (VIII of 1890).
The General Clauses Act, 1897 (X of 1897).
The Code of Criminal Procedure, 1898 (V of 1898).
The Indian Post Office Act, 1898 (VI of 1898).
The Glanders and Farcy Act, 1899 (XIII of 1899).
The Provincial Insolvency Act, 1907 (III of 1907).
The Code of Civil Procedure, 1908 (V of 1908).
The Indian Limitation Act, 1908 (IX of 1908).
The Whipping Act, 1909 (IV of 1909).
The Indian Lunacy Act, 1912 (IV of 1912).

Second Schedule.

No. and date of notification.	Extent to which cancelled.	Extent to which amended.
No. 605-P., dated the 28th March 1873.	Rule I, clause (c), so far as it relates to European British subjects, Rule IX, Rule X so far as it relates to the Commissioner of the Ráwalpindi Division, and Rules XII to XV.	
No. 933-E., dated the 8th May 1891.	Part III and the Schedule as subsequently amended.	In Part I for the words and figures "Code of Criminal Procedure, 1882," wherever they occur, the words and figures "Code of Criminal Procedure 1898," shall be substituted. In Part II after the words "Code of Civil Procedure" the figures, "1908" shall be inserted.
No. 1231-F., dated the 11th May 1893.	......	For the words and figures "Code of Criminal Procedure, 1882", wherever they occur, the words and figures "Code of Criminal Procedure, 1898," shall be substituted.
No. 2693-I-A., dated the 7th October 1898.	The whole.	
No. 2695-I-A., dated the 7th October 1908.	Do.	

A. H. McMAHON,
Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATIONS.

COMMERCE AND TRADE.

Delhi, the 15th February 1913.

No. 1012-61.—In exercise of the powers conferred by section 32 of the Indian Life Assurance Companies Act, 1912 (VI of 1912), the Governor-General in Council is pleased to declare that the London Assurance Corporation carries on life assurance business in the United Kingdom in accordance with the Assurance Companies Act, 1909 (Edw. VII., Cap. 49).

CUSTOMS.

The 15th February 1913.

No. 74-Camp.—In exercise of the power conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor-General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy of the anonymous pamphlet of six pages, made up of five pages of lithographed Urdu writing and one illustrated page of English print, headed "The Russian Atrocities in Tabriz."

R. E. ENTHOVEN,
Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 14th February 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

Simla Volunteer Rifles.

No. 146.—Captain Walter Kington Bretherton, Supernumerary List, resigns his commission. Dated the 9th January 1913.

North-Western Railway Volunteer Rifles.

No. 149.—John Chalmers Hunter to be Second-Lieutenant, *vice* G. C. Giffard, deceased. Dated the 30th December 1912.

W. R. BIRDWOOD, MAJOR-GENERAL,
Secretary to the Government of India.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED 15TH FEBRUARY 1913.

No. 165-F.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT.

ACCOUNTS AND FINANCE.

Mint.

RESOLUTION.

Delhi, the 14th February 1913.

ASSAY FEES—CREDIT TO GOVERNMENT OF—RECEIVED BY ASSAY MASTERS FOR PRIVATE ASSAY WORK AND CONDITIONS UNDER WHICH PRIVATE ASSAY WORK IS TO BE UNDERTAKEN IN FUTURE.

In the Resolution of the Government of India in the Finance Department, No. 124, dated the 12th May 1876, Assay Masters were permitted to retain any fees received by them for assays made for private persons, after crediting 4 per cent to Government for the use of Government laboratories, chemicals, etc., and assigning to the members of their establishment who assist in such private assays such portion of the fees as they think fit. With the approval of the Secretary of State for India, the Governor General in Council is now pleased to direct that in future this private assay work shall form part of the official duties of Assay Masters and their staff and that the fees received for this work shall be credited to Government.

2. The Governor General in Council recognises that in the case of officers already employed in the Department the withdrawal of the fees without compensation would be inequitable, and has therefore decided that suitable allowances shall be given to them.

3. The conditions under which assay work will in future be undertaken for private persons are laid down in the attached rules.

R. W. GILLAN,
Secretary to the Government of India.

RULES FOR RECEIPT OF SAMPLES OF BULLION FOR ASSAY.

1. Bullion may be presented for assay at the Assay Office on any working day between the hours 10-30 A.M. and 2 P.M., except on Wednesdays and Saturdays, on which days the hours will be from 10-30 A.M. to 12 NOON.

2. The Assay Master will not accept custody of, or responsibility for, any bullion brought to the Assay Office. The owner, or his authorised agent, must attend in all cases during the operations preparatory to taking a sample.

3. Bullion will, as a rule, be melted in parcels not exceeding 500 tolas in weight; a dip muster will be taken of each melting, and about 1 tola of each muster retained by the Assay Master for purposes of assay. The bars, stamped with numbers and the remainders of the musters, will then be handed over to the owner or his agent. The Assay Master is not responsible for any loss incurred during these operations. In all cases when a merchant brings bullion of quality below 900 fine, the assay report will not be on the whole bar but only on the sample taken.

4. Small quantities of metal presented for assay, if less than 1 tola in weight, will be retained by the Assay Master, who will exercise his discretion whether to laminate or melt the metal, but in all such cases the process to which the metal has been subjected will be stated on the certificate of assay.

5. At the special request of the tenderer a portion of an object may be taken for assay, but in all such cases the certificate will state the fact, with details regarding subsequent melting or lamination, and it must be understood that no responsibility, express or implied, can be accepted regarding the fineness of the article from which the sample was taken.

6. In cases where zinc is found alloyed with gold bullion and the fineness in gold is inferior to 900 per mille, an assay certificate may be given, but it will apply only to the sample taken and not to the whole bar, and the fact that the assay only refers to the sample taken will be specially mentioned in the certificate.

7. When assay certificates of bars are furnished they will be accompanied in all cases by a small test piece punched from the bar which has been weighed accurately to $\frac{1}{100}$ grain. The fact that such a test piece accompanies the bar, and its weight, will be stated on the assay certificate.

8. At the time of sampling, a number only will be stamped on bars of bullion, or other articles. On subsequent presentation to obtain the assay certificate, the Assay Office seal, and the fineness will be stamped on the bar in such cases as it will be allowable to stamp such fineness.

9. It is to be clearly understood by merchants bringing bullion for assay to the Assay Office, that neither Government nor the Assay Master will be held responsible for the correctness of the certificates given. Nor can the Assay Master in any way guarantee that assays from sample, purported to be taken from large consignments, are indicative of fineness of the whole sample.

10. All fees are payable in advance.

Assay fees.

	Rs.	A.	P.
For an assay of 1,000 or portion of 1,000 tolas of *Gold*... ...	8	0	0
For *Silver* (½ tola retained)	2	8	0
For a duplicate Assay Certificate	2	0	0

Melting fees.

	Rs.	A.	P.
Gold—For every 100 tolas or portion of 100 tolas	1	0	0
" From 100 tolas to 200 tolas	2	0	0
" From 200 tolas to 500 tolas...	3	0	0
" For every 100 tolas or portion of 100 tolas above 500 tolas 0-8-0 (annas eight) extra will be charged. This charge is to be up to a maximum of 1,000 tolas.			
Silver—For every 500 tolas or portion of 500 tolas... ...	1	0	0

Weighing fees.

A charge of *Rupee one* will be made for each weighment of Gold or Silver.

Punjab Government Press, Lahore—21 2 13—2912—350.

[illegible]

1. [illegible] *Wednesday* [illegible]

[illegible]

10. All fees are payable in advance.

Rs. A. P.

[illegible]

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, FEBRUARY 28, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED FEBRUARY 22, 1913.

HOME DEPARTMENT.

NOTIFICATION.

DELHI.

Delhi, the 19th February 1913.

No. 1234-*C*.—In exercise of the power conferred by section 3 of the Delhi Laws Act, 1912 (XIII of 1912), the Governor General in Council is pleased to make the following amendment in the Notification of the Government of India in the Home Department, No. 1008, dated the 1st October 1912, namely :—

In the entry in column 2 of the Schedule, against serial number 7, for the figures "129" the figures "130" shall be substituted.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATIONS.

ECCLESIASTICAL.

Delhi, the 21st February 1913.

No. 43-*C. D.*—The Right Reverend George Alfred Lefroy, D.D., Bishop of Lahore, is permitted to resign his chaplaincy on the Bengal (Lahore) Ecclesiastical Establishment with effect from the 17th February 1913.

No. 45-*C. D.*—The Governor General in Council is pleased to notify for general information that His Majesty the King has approved the appointment of the Right Reverend George Alfred Lefroy, D.D., Bishop of Lahore, as Lord Bishop of Calcutta and Metropolitan in India and the Island of Ceylon, in succession to the Most Reverend Reginald Stephen Copleston, D.D., resigned, with effect from the 18th February 1913.

L. C. PORTER,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 13th February 1913.

No. 352 *Est. A.*—With reference to rule 5 of the rules published in the notification of the Government of India in the Foreign Department, No. 3104-Est. A., dated the 6th October 1910, the undermentioned officer is confirmed in the Political Department :—

Mr. B. J. Glancy, Indian Civil Service (Punjab).

A. H. McMAHON,
Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

GEOLOGY AND MINERALS.

Delhi, the 22nd February 1913.

No. 1329-26.--For the purposes of rules 32 and 33 of the rules framed under section 20 of the Indian Mines Act, 1901 (VIII of 1901), and published with Notification No. 2968-82-Geology and Minerals, dated the 21st April 1906, as subsequently amended by Notification No. 9709-131-Geology and Minerals, dated the 23rd October 1908, the Governor General in Council has approved of the Harvard University, Cambridge, Massachusetts, in respect of its diploma in Mining Engineering, with effect from the date of this notification.

R. E. ENTHOVEN,
Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 21st February 1913.

PROMOTIONS.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 153.—Consequent on the termination of leave of Lieutenant-Colonel A. T. H. Newnham, Indian Army, the following reversion in the Cantonment Magistrates' Department is notified :—

Lieutenant-Colonel M. Stevens, Indian Army, Cantonment Magistrate, 3rd Grade (officiating 2nd Grade), to revert to his substantive appointment; with effect from the 22nd January 1913.

MEDICAL DEPARTMENT.

No. 171.—The last sentence of paragraph 6 of the regulations regarding the grant of study leave to officers of the Indian Medical Service, as published in Army Department Notification No. 867, dated the 6th September 1912, is reconstructed as follows :—

"The total period of absence from duty in India, in the case of officers under the Leave Rules of 1886 for the Indian Army, will be strictly limited to two years, and in the first instance the total period of leave granted (study leave combined with any other sort of leave) will not exceed one year."

W. R. BIRDWOOD, MAJOR-GENERAL,
Secretary to the Government of India.

DIRECTOR-GENERAL, INDIAN MEDICAL SERVICE.

NOTIFICATION.

Simla, the 18th February 1913.

No. 22.—2nd Class Assistant Surgeon W. J. P. Martin, I.S.M.D., is appointed to the Medical Charge of the Junior Secretariat Establishment, Simla, with effect from the 8th December 1912.

JAY GOULD, MAJOR, I.M.S.,
for *Director-General, Indian Medical Service.*

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED 22ND FEBRUARY 1913.

No. 1161—1185—1.

GOVERNMENT OF INDIA, DEPARTMENT OF COMMERCE AND INDUSTRY.

COMMERCIAL EXHIBITION.

RESOLUTION.

THE FOURTH INTERNATIONAL RUBBER AND ALLIED TRADES EXHIBITION AND THE FIRST COTTON, FIBRE AND TROPICAL PRODUCTS EXHIBITION.

Delhi, the 17th February 1913.

Intimation has been received that the Fourth International Rubber and Allied Trades Exhibition and the First Cotton, Fibre and Tropical Products Exhibition will be held in London in June 1914.

Ordered that the information be published in the Supplement to the *Gazette of India* for general information, and that copies of the Resolution be forwarded to all Local Governments and Administrations, and to the Foreign and Revenue and Agricultural Departments for information.

Ordered, also, that a copy be forwarded to all Chambers of Commerce for information.

R. E. ENTHOVEN,
Secretary to the Government of India.

No. 301-C. D.

GOVERNMENT OF INDIA, DEPARTMENT OF EDUCATION.

Delhi, the 21st February 1913.

RESOLUTION.

EDUCATIONAL POLICY OF THE GOVERNMENT OF INDIA.

Comprehensive systems of education.

His Most Gracious Imperial Majesty the King Emperor, in replyiny to the address of the Calcutta University on the 6th January, 1912, said :—

"It is my wish that there may be spread over the land a network of schools and colleges, from which will go forth loyal and manly and useful citizens, able to hold their own in industries and agriculture and all the vocations in life. And it is my wish, too, that the homes of my Indian subjects may be brightened and their labour sweetened by the spread of knowledge with all that follows in its train, a higher level of thought, of comfort and of health. It is through education that my wish will be fulfilled, and the cause of education in India will ever be very close to my heart."

2. The Government of India have decided, with the approval of the Secretary of State, to assist Local Governments, by means of large grants from imperial revenues as funds become available, to extend comprehensive systems of education in the several provinces. Each province has its own educational system, which has grown up under local conditions, and become familiar to the people as a part of their general well-being. In view of the diverse social conditions in India there cannot in practice be one set of regulations and one rate of progress for the whole of India. Even within provinces there is scope for greater variety in types of institutions than exists to-day. The Government of India have no desire to centralise provincial systems or to attempt to introduce a superficial uniformity. Still less do they desire to deprive Local Governments of interest and initiative in education. But it is important at intervals to review educational policy in India as a whole. Principles, bearing on education in its wide aspects and under modern conditions and conceptions, on orientalia and on the special needs of the domiciled community, were discussed at three important conferences of experts and representative non-officials held within the last two years. These principles are the basis of accepted policy. How far they can at any time find local application must be determined with reference to local conditions.

The need of true perspective.

3. The defects of educational systems in India are well-known and need not be re-stated. They have been largely due to want of funds. Of late years there has been real progress in removing them. In the last decade* the total expenditure from all sources on education has risen from 4 crores to nearly $7\frac{1}{4}$ crores. The progress has been especially great since Lord Curzon's government introduced large measures of educational reform. In the last four years the number of those under instruction has increased from about $5\frac{1}{3}$ to $6\frac{1}{2}$ millions. Again, the formerly crushing weight of examinations has been appreciably lightened; a commencement has been made in the reform of university and college organisation; and the grants from public funds to private institutions have almost doubled in the past nine years. These facts speak for themselves. Nor must the great benefits, which education has conferred on India, be ignored or minimised. Criticism based on imperfect analogies is often unjust. It is not just, for instance, to compare Indian systems still for the most part in their infancy with the matured systems of the modern western world, or to disregard the influences of social organization and mentality. Again the common charge that the higher education of India has been built up on a slender foundation of popular education and that its teaching agency is inefficient, is one that might have been levelled against every country in Europe at some period of its history. India is now passing through stages taken by other countries in their time.

Formation of character the main objective.

4. In the forefront of their policy the Government of India desire to place the formation of the character of the scholars and undergraduates under tuition. In the formation of character the influence of home and the personality of the teacher play the larger part. There is reason to hope—in the light of acquired experience—that increased educational facilities under better educational conditions will accelerate social reform, spread female education and secure better teachers. Already much attention is being given to religious and moral education in the widest sense of the term, comprising, that is, direct religious and moral instruction, and indirect agencies such as monitorial or similar systems, tone, social life, traditions, discipline, the betterment of environment, hygiene, and that most important side of education, physical culture and organised recreation.

Direct religious and moral instruction.

5. The question of religious and moral instruction was discussed at a local conference held in Bombay and subsequently at the imperial conference held in Allahabad in February 1911. Grave differences of opinion emerged as to the possibility or advantage of introducing direct religious instruction into schools generally, and apprehensions of difficulty in the working of any definite system were put forward. Doubts were also expressed as to the efficacy of direct moral instruction when divorced from religious sanctions. In the matter of moral teaching, however, the difficulties are undoubtedly less than in the case of religious teaching. The papers laid before the conference indicate that not a little moral instruction is already given in the ordinary text books and in other ways. The Government of Bombay are engaged upon the preparation of a book containing moral illustrations, which will be placed in the hands of teachers in order to assist them in imparting moral instruction. Excellent materials for ethical teaching are available in the Mahabharta, the Ramayana, portions of Hafiz, Sadi, Maulana Rumi and other classics in Sanskrit, Arabic, Persian and Pali. The Government of India while bound to maintain a position of complete neutrality in matters of religion observe that the most thoughtful minds in India lament the tendency of existing systems of education to develop the intellectual at the expense of the moral and religious faculties. In September 1911 they invited Local Governments other than the Bombay Government to assemble local committees in order to consider the whole question. Such committees are still at work in some

*i. e., 1901 to 1911.

provinces. For the present the Government of India must be content to watch experiments and keep the matter prominently in view. Enlightened opinion and accumulated experience will, it is hoped, provide a practical solution to what is unquestionably the most important educational problem of the time.

Indirect agencies, *e.g.*, hostels, school-buildings, traditions, etc.

6. There has been real progress of late years in the provision of hostels. In the last decade the numbers both of hostels and of resident male students have nearly doubled, and now stand at over 2,200 and over 78,000, respectively. The Government of India desire to see the hostel system develop until there is adequate residential accommodation attached to every college and secondary school in India. But a hostel of itself will not achieve the desired end unless effective means are adopted for guiding students and assisting them in their work and in their recreation. Already in some first-class institutions in the country admirable arrangements have been made on Europaan lines to secure the full benefits of the residential system. Again it is reassuring that traditions are growing up, that meetings of old boys are held, that debating and literary societies are becoming more common. All these require help which will in many cases best be organised in connection with the hostel system. Much has also been done of late to improve school buildings; but a large number of thoroughly unsuitable, not to say mean, squalid and insanitary buildings still exist in India. These will be replaced, as funds permit, by modern buildings designed upon sanitary lines and with a view to avoid overcrowding and to facilitate the maintenance of discipline. The Government of India hope that the time is not far distant when educational buildings will be distinguished as the most modern and commodious buildings in the locality, and scholars in India will have the advantages in this respect of scholars in the west. The influence for good of clean well arranged buildings with the concomitant domestic discipline can scarcely be exaggerated.

Hygiene.

7. The claims of hygiene are paramount not only in the interests of the children themselves, though these are all important, but also as an object lesson to the rising generation. Hitherto want of funds and the apathy of the people have been responsible for the comparatively small attention paid to hygiene. In some provinces a simple course of instruction in hygiene is prescribed, at some period of the school course, but the lessons are often of too formal a type, are not connected with the life of the pupil, and fail to form his habits or to enlist his intelligence in after-life in the struggle against disease. In some areas there is a general inspection of school premises by a medical authority; but it is believed that little is done for the individual inspection of school children and that medical advice has not always been enlisted in regard to the length of the school day, the framing of curricula, and such matters. The Government of India commend to Local Governments a thorough enquiry, by a small committee of experts, medical and educational, into school and college hygiene. The scope of the enquiry will no doubt vary in different parts of India, but the following seem to be important matters for investigation :—

(*i*) The condition of school houses, hostels and other places where pupils reside, from the point of view of sanitation.

(*ii*) The professional examination of building plans from the hygienic point of view.

(*iii*) The introduction of a simple and more practical course of hygiene; whether it should be a compulsory subject in the various schemes of school-leaving certificates, and whether it should be recommended to universities as part of their matriculation examination.

(*iv*) The inspection, where possible, of male scholars with special reference to infectious diseases, eyesight and malaria.

(*v*) The length of the school-day, home-studies, and the effect upon health of the present system of working for formal examinations.

(*vi*) The requirements in the way of recreation grounds, gardens, gymnasia, reading rooms, common-rooms, etc.

(*vii*) The inspecting and administrating agency required, the possibility of co-operation with existing organisations and the provision of funds.

Other cardinal principles of policy.

8. Other cardinal principles of policy may here be stated—

(1) The steady raising of the standard of existing institutions should not be postponed to increasing their number when the new institutions cannot be efficient without a better-trained and better-paid teaching staff.

(2) The scheme of primary and secondary education for the average scholar should steadily, as trained teachers become available, be diverted to more practical ends *e.g.*, by means of manual training, gardening, out-door observation, practical teaching of geography, school excursions, organised tours of instruction, etc.

(3) Provision should be made for higher studies and research in India, so that Indian students may have every facility for higher work without having to go abroad.

Research.

9. The provision of facilities for research cannot be postponed. In almost every branch of science and the arts, in philosophy, history, geography, language, literature, economics, sociology, medicine, public health, agriculture, biology, geology, botany and in all the sciences applied to industry, not to particularise more closely, there is a wide untrodden field awaiting research. Among the essentials are good libraries, laboratories and collections, ample leisure and freedom in study, systematic collaboration of professors and students, an atmosphere engendered by the simultaneous working of many minds on numerous but interdependent branches of research. Only when they know the methods of research by which the knowledge they are to impart is secured and tested are teachers fully equipped for their work in the more advanced stages of education.

Primary Education. Compulsory and free education not practicable.

10. The propositions that illiteracy must be broken down and that primary education has, in the present circumstances of India, a predominant claim upon the public funds, represent accepted policy no longer open to discussion. For financial and administrative reasons of decisive weight the Government of India have refused to recognise the principle of compulsory education; but they desire the widest possible extension of primary education on a voluntary basis. As regards free elementary education the time has not yet arrived when it is practicable to dispense wholly with fees without injustice to the many villages, which are waiting for the provision of schools. The fees derived from those pupils who can pay them are now devoted to the maintenance and expansion of primary education, and a total remission of fees would involve to a certain extent a more prolonged postponement of the provision of schools in villages without them. In some provinces elementary education is already free and in the majority of provinces liberal provision is already made for giving free elementary instruction to those boys whose parents cannot afford to pay fees. Local Governments have been requested to extend the application of the principle of free elementary education amongst the poorer and more backward sections of the population. Further than this it is not possible at present to go.

Primary Education. General principles.

11. For guidance in the immediate future, with the necessary modifications due to local conditions, the Government of India desire to lay down the following principles in regard to primary education:—

(*i*) Subject to the principle stated in paragraph 8 (1) *supra*, there should be a large expansion of lower primary schools teaching the three R's with drawing, knowledge of the village map, nature-study and physical exercises.

(*ii*) Simultaneously upper primary schools should be established at suitable centres and lower primary schools should where necessary be developed into upper primary schools.

(*iii*) Expansion should be secured by means of board schools, except where this is financially impossible, when aided schools under recognised management should be encouraged. In certain tracts liberal subsidies may advantageously be given to *maktabs*, *patshalas* and the like which are ready to undertake simple vernacular teaching of general knowledge. Reliance should not be placed upon "venture schools" unless by subjecting themselves to suitable management and to inspection they earn recognition.

(*iv*) It is not practicable at present in most parts of India to draw any great distinction between the curricula of rural and of urban primary schools. But in the latter class of schools there is special scope for practical teaching of geography, school excursions, etc., and the nature-study should vary with the environment, and some other form of simple knowledge of the locality might advantageously be substituted for the study of the village map. As competent teachers become available a greater differentiation in the courses will be possible.

(*v*) Teachers should be drawn from the class of the boys whom they will teach; they should have passed the middle vernacular examination, or been through a corresponding course, and should have undergone a year's training. Where

they have passed through only the upper primary course and have not already had sufficient experience in a school, a two years' course of training is generally desirable. This training may in the first instance be given in small local institutions but preferably, as funds permit, in larger and more efficient central normal schools. In both kinds of institutions adequate practising schools are a necessary adjunct, and the size of the practising school will generally determine the size of the normal school. As teachers left to themselves in villages are liable to deteriorate there are great advantages in periodical repetition and improvement courses for primary school teachers during the school vacations.

(*vi*) Trained teachers should receive not less than Rs. 12 per month (special rates being given in certain areas); they should be placed in a graded service; and they should either be eligible for a pension or admitted to a provident fund.

(*vii*) No teacher should be called on to instruct more than 50 pupils; preferably the number should be 30 or 40; and it is desirable to have a separate teacher for each class or standard.

(*viii*) The continuation schools known as middle or secondary vernacular schools should be improved and multiplied.

(*ix*) Schools should be housed in sanitary and commodious but inexpensive buildings.

12. While laying down these general principles the Government of India recognise that in regard to primary education conditions vary greatly in different provinces. In the old province of Bengal, for instance, where there is already some sort of primary school for a little over every three square miles of the total area of the province, the multiplication of schools may very well not be so urgent a problem as an increase in the attendance and an improvement in the qualifications of the teachers. In some parts of India at the present time no teacher in a primary school gets less than 12 rupees a month. In Burma all conditions are different and monastic schools are an important feature of the organisation. Different problems, again, present themselves where board shools and aided schools respectively are the basis of the system of primary education. Nor must it be supposed that the policy laid down in these general terms for the immediate future limits the aspirations of the Government of India or the Local Governments. Indeed the Government of India hope that the day is not far distant when teachers in primary schools will receive considerably higher remuneration, when all teachers will be trained, and when it will be possible to introduce more modern and elastic methods in primary schools.

Vernacular continuation schools.

13. Vernacular continuation schools are the only entrance to more advanced study which does not demand acquaintance with a foreign language; and it is in them that competent teachers for primary schools will be prepared. Technical and industrial progress also is likely to create numerous openings for men with a good vernacular education. In certain provinces owing to the popularity and cheapness of English education these institutions have declined. But in the whole of India in the last decade the number of schools has increased from 2,135 to 2,666 and that of their scholars from over 177,000 to close on 257,000. The Government of India believe that these schools will become much more popular and useful when they are placed on a sound footing; they also think that it would be an advantage if an advanced vernacular course could be provided at selected centres for students desirous of becoming teachers in these continuation schools.

14. In some provinces special classes have been opened in secondary English schools for scholars who have been through the whole course at a vernacular continuation school in order to enable them to make up ground in English. There is much experience to the effect that scholars who have been through a complete vernacular course are exceptionally efficient mentally. The Government of India recommend arrangements on the above lines to all Local Governments and Administrations which have not already introduced them.

Proposed expansions.

15. It is the desire and hope of the Government of India to see in the not distant future some 91,000 primary public schools added to the 100,000 which already exist for boys and to double the 4¼ millions of pupils who now receive instruction in them. For purposes of present calculation a sum of Rs. 375 per annum may be taken as a rough approximation of the probable average cost of maintenance of a primary board school. This figure provides for two teachers, one on Rs. 15 and one on Rs. 12 per month and Rs. 4 per month for the purchase of books and stationery, petty repairs, prizes and for necessary contingencies. This is, however, only an average figure for the whole of India. In India as a whole the average cost of a board or municipal school is at present Rs. 315 per annum. In Bombay the average cost of

a primary school under any kind of management is now about Rs. 437, but this figure includes the cost of the higher classes, which in some other provinces are classed as middle or secondary vernacular classes.

Education of girls.

16. The education of girls remains to be organized. In 1904 the Government of India remarked that peculiar difficulties were encountered in this branch of education owing to the social customs of the people, but that as a far greater proportional impulse is imparted to the educational and moral tone of the people by the education of women than by the education of men, liberal treatment had been accorded for girls in respect of scholarships and fees. This policy has been continued. Efforts have been also made, not without success, to bring education, through the agency of governesses, within the reach of *purda* ladies, to increase the number of ladies on the inspecting staff and to replace male by female teachers in Government and aided schools. The number of girls under instruction has risen from 444,470 in 1901-02 to 864,363 in 1910-11. But the total number still remains insignificant in proportion to the female population. The Government of India believe, however, that in certain areas there are indications of a swiftly growing demand for a more extensive education of girls.

17. The immediate problem in the education of girls is one of social development. The existing customs and ideas opposed to the education of girls will require different handling in different parts of India. The Governor General in Council accordingly hesitates to lay down general lines of policy which might hamper Local Governments and Administrations, and has preferred to call for schemes from each province ; but he commends the following principles for general consideration :—

(*a*) The education of girls should be practical with reference to the position which they will fill in social life ;

(*b*) It should not seek to imitate the education suitable for boys nor should it be dominated by examinations ;

(*c*) Special attention should be paid to hygiene and the surroundings of school life ;

(*d*) The services of women should be more freely enlisted for instruction and inspection ; and

(*e*) Continuity in inspection and control should be specially aimed at.

18. The difficulty of obtaining competent school-mistresses is felt acutely in many parts of the country. In this connection it has been suggested that there is a large opening for women of the domiciled community, who have a knowledge of the vernacular and who might be specially trained for the purpose.

Secondary English education.

19. The importance of secondary English and in particular of high school education is far-reaching. Secondary education of one grade or another is the basis of all professional or industrial training in India. The inferior output of secondary schools invades colleges and technical institutions and hinders the development of higher education. At the Allahabad conference the directors of public instruction unanimously regarded the reform of secondary English schools as the most urgent of educational problems. The improvement of secondary English education has for some time occupied the attention of the Government of India and the Local Governments and it is hoped in the near future to remedy many defects of the present system.

20. In the last nine years the number of secondary schools has increased from nearly 5,500 to over 6,500 and the number of scholars from 622,000 to 900,000. The policy of Government is to rely so far as possible on private enterprise in secondary education. This policy, laid down in the despatch of 1854, was re-stated and amplified by the Education Commission of 1882, which, while doubtful as to how far the process of withdrawal on the part of Government should be carried, agreed that, whatever degree of withdrawal from the direct provision of education might be found advisable, there should be no relaxation of indirect but efficient control by the State. The admixture of private management and State control was again emphasised in the resolution of 1904. To this policy the Government of India adhere. It is dictated not by any belief in the inherent superiority of private over State management but by preference for an established system and, above all, by the necessity of concentrating the direct energies of the State and the bulk of its available resources upon the improvement and expansion of elementary education. The policy may be summarised as the encouragement of privately managed schools under suitable bodies, maintained in efficiency by Government inspection, recognition and control, and by the aid of government funds.

21. Some idea of the extension of private enterprise may be gained by the reflection that, of 3,852 high and middle English schools, only 286 are Government institutions. These figures, however, cover many types of schools, from the most efficient to the least efficient. Admirable schools have been and are maintained by missionaries and other bodies. But the underlying idea of the grant-system, the subvention of local organised effort, has not always been maintained. Schools of a money-making type, ill-housed, ill-equipped, and run on the cheapest lines, have in certain cases gained recognition and eluded the control of inspection. Schools have sprung into existence in destructive competition with neighbouring institutions. Physical health has been neglected and no provision has been made for suitable residential arrangements and playfields. Fee-rates have been lowered; competition and laxity in transfer have destroyed discipline; teachers have been employed on rates of pay insufficient to attract men capable of instructing or controlling their pupils. Above all, the grants-in-aid have from want of funds often been inadequate. No fewer than 360 high schools with 80,247 pupils are in receipt of no grant at all, and are maintained at an average cost of less than half that of a Government school, mainly by fee-collections. Especially do these conditions prevail in the area covered by the old provinces of Bengal and Eastern Bengal and Assam; a result due, no doubt, to the rapid extension of English education beyond the ability of the Local Governments to finance it. In Bengal and Eastern Bengal the number of high schools is greater than in the rest of British India put together, and the cost of their maintenance to public funds is proportionately less than a third of the cost prevailing in other provinces. A special inquiry showed that out of some 4,700 teachers in privately managed high schools in these areas about 4,200 were in receipt of less than Rs. 50 a month, some 3,300 of less than Rs. 30 a month while many teachers of English and classical languages drew salaries that would not attract men to superior domestic service. The great variations in conditions in different parts of India point to the difficulty of making any but the most general statements about the results of private enterprise and the special measures that are needed to assist it to perform efficiently its work in the educational system.

Secondary English schools. General principles.

22. Subject to the necessities of variation in deference to local conditions the policy of the Government of India in regard to secondary English schools is—

(1) To improve the few existing Government schools by—

(a) employing only graduates or trained teachers;

(b) introducing a graded service for teachers of English with a minimum salary of Rs. 40 per month and a maximum salary of Rs. 400 per month;

(c) providing proper hostel accommodation;

(d) introducing a school course complete in itself with a staff sufficient to teach what may be called the modern side with special attention to the development of an historical and a geographical sense;

(e) introducing manual training and improving science teaching.

(2) To increase largely the grants-in-aid, in order that aided institutions may keep pace with the improvements in Government schools on the above-mentioned lines, and to encourage the establishment of new aided institutions where necessary.

(3) To multiply and improve training colleges so that trained teachers may be available for public and private institutions.

(4) To found Government schools in such localities as may, on a survey of local conditions and with due regard to economy of educational effort and expense, be proved to require them.

Grants-in-aid.

23. The Government of India also desire that the grant-in-aid rules should be made more elastic so as to enable each school, which is recognised as necessary and conforms to the prescribed standards of management and efficiency, to obtain the special assistance which it requires in order to attain the fullest measure of utility. As larger grants become available and as the pay and the personnel of the teaching staff are improved, it will be possible for the inspecting officer to concentrate his attention more and more upon the general quality of instruction. Full encouragement can then be given to improved and original methods of teaching and courses; and gradually the grant-earning capacity of an institution will come to be judged on grounds of general efficiency and desert rather than by rigid rules of calculation.

24. The introduction of a school course complete in itself and of a modern and practical character, freed from the domination of the matriculation examination, was recommended in the first instance by the Education Commission of 1882. In some provinces and particularly in Madras real progress has been made towards the accomplishment of this reform. The figures for 1901-02 and 1910-11 are :—

Modern side.

	1901-02.		1910-11.	
	School Final (candidates).	Matriculation (candidates).	School Final (candidates).	Matriculation (candidates).
Madras and Coorg ...	194	7,682	7,317*	782
Bombay	1,162	3,731	1,360	3,766
United Provinces ...	52	1,704	946	2,206
Central Provinces ...		473	538	702

In other provinces the school final examination has not yet been established except for special purposes. The total number of candidates in 1910-11 for the school final examination or leaving certificate in all British provinces was 10,161 ; that of candidates for matriculation was 16,952.

25. The principal objects of the school final examination are adaptability to the courses of study and avoidance of cram. In those provinces in which a school final examination or school-leaving certificate has not been introduced the Government of India desire that it should be instituted as soon as practicable. They suggest for the consideration of Local Governments and Administrations further developments of the system in regard to the character of the tests by which certificates are granted at the end of the school course. Before proceeding further, however, they restate and emphasise the three principles laid down by the Indian Universities' Commission in paragraph 170 of their report.

Secondary English School Leaving Certificate.

" (1) The conduct of a school final or other school examination should be regarded as altogether outside the functions of a University.

" (2) It would be of great benefit to the Universities if the Government would direct that the matriculation examination should not be accepted as a preliminary or full test for any post in Government service. In cases where the matriculation examination qualifies for admission to a professional examination the school final examination should be substituted for it.

" (3) It would be advantageous if the school final examination could, in the case of those boys who propose to follow a University career, be made a sufficient test of fitness to enter the University. Failing this, the best arrangement would appear to be that the matriculation candidate should pass in certain subjects in the school final examination, and be examined by the University with regard to any further requirements that may be deemed necessary.''

26. The value of external examination cannot be overlooked. It sets before the teacher a definite aim, and it maintains a standard ; but the definite aim often unduly overshadows instruction, and the standard is necessarily narrow, and in view of the large numbers that have to be examined must confine itself to mere examination achievement, without regard to mental development or general growth of character. On the other hand, the drawbacks of external examinations are becoming more generally apparent, and attention was prominently drawn to them in the Report of the Consultative Committee on Examinations in Secondary Schools in England. They fail, especially in India, in that they eliminate the inspecting and teaching staff as factors in the system, that they impose all responsibility upon a body acquainted but little (if at all) with the schools examined, that they rely upon written papers, which afford no searching test of intellect, no test at all of character or general ability, and that they encourage cram.

27. A combination of external and internal examinations is required. The Government of India consider that, in the case of a school recognised as qualified to present candidates for a school leaving certificate, a record should be kept of the progress and conduct of each pupil in the highest classes of the school, and that the inspector should enter his remarks upon these records at his visits and thus obtain some acquaintance with the career of each candidate during the two or three years before examination. These records, together with the marks obtained by pupils at school tests, would be valuable and would supplement a test conducted partly through written papers on the more important subjects of instructions but also orally and with regard to the pupil's past career. The oral examination would be

* School-leaving certificate.

conducted by the inspector in consultation with members of the staff. A large increase in the superior inspecting staff would be required to work a system of this kind, and safeguards would be necessary to protect teachers from undue influences; the Government of India are prepared to assist, with such grants as they may be able to afford, the introduction of any such system which may be locally practicable. The school-leaving certificate systems of Madras and the United Provinces fulfil many of the requirements of the reform in view, but their precise characteristics may not be found altogether suitable in other areas. Some such system, however, as has been sketched above, adapted to local conditions, would, it is believed, be most beneficial and do more than anything else to foster a system under which scholars would be taught to think for themselves instead of being made to memorize for examination purposes. Next to the improvement of the pay and prospects of teachers, which must accompany and even precede its introduction, this is perhaps the most important reform required in secondary English education.

Technical and Industrial Education.

28. No branch of education at present evokes greater public interest than technical and industrial instruction. Considerable progress has been made since 1904. Existing educational institutions have been overhauled and equipped for new courses. Scholarships tenable in Europe and America have been established. Thanks to the generosity of the Tata family, seconded by liberal financial aid from the Government of India and His Highness the Maharaja of Mysore, an Indian Institute of Science, designed upon a large scale, has been established at Bangalore; it was thrown open to pupils in 1911. The establishment of a Technological Institute at Cawnpore for the chemistry of sugar manufacture and leather, for textiles and for acids and alkalis, has been sanctioned Industrial schools have been opened in several provinces. Altogether the number of technical and industrial schools has risen since 1904 from 88 to 218 and the number of pupils from 5,072 to 10,535.

Technical Scholarship.

29. The system of technical scholarships tenable abroad is still on trial, and a committee is examining the whole question in England. It is not always easy to arrange suitable courses of study; and study abroad puts the pupils at a disadvantage in removing them from the environment of Indian trade conditions. From the information available it appears that, of 73 scholars sent abroad, 36 have not returned to India while 18 are at present industrially employed in India.

Co-ordination in Technical Education.

30. The policy to be pursued in regard to technical and industrial education was discussed at the Allahabad conference. The Government of India accept the conclusions of that conference that progress should continue along the lines generally followed hitherto, *viz.*, that—

(1) the Indian Institute of Science, which provides for research, the application of new processes and the production of thoroughly trained managers, should be developed, as opportunity offers, and become eventually a complete faculty of pure and applied science;

(2) the larger provincial institutions, which attract students from different parts of India, and afford instruction in practical methods of management and supervision, should, in the first instance, specialise along lines converging on local industries—a plan which will prevent overlapping and make for economy. Subsequently, as industries arise and the demand for managers and foremen increases, other and more varied courses may be found necessary;

(3) the lesser industrial schools, minor weaving institutions, such of the schools of art as have an industrial bent, the artisan classes in Bengal, and trade schools generally, should be permanently directed toward such industries as exist in the localities where the institutions are situated.

Technical Education on commercial lines.

31. The question has arisen as to how far educational institutions should develop on commercial lines. It has been decided that while educational institutions should in no case trade on commercial lines in certain cases instruction in industrial schools may be supplemented by practical training in workshops where the application of new processes needs to be demonstrated. In certain cases, also, it will be necessary to purchase and maintain experimental plant for demonstrating the advantages of new machinery or new processes, and for ascertaining the data of production.

Industrial openings for Indians.

32. Quite recently Lieutenant-Colonel E. H. deV. Atkinson, R.E., principal of the Thomason College, Roorkee, and Mr. T. S. Dawson, principal of the Victoria Jubilee

Technical Institute, Bombay, were deputed to enquire how technical institutions can be brought into closer touch and more practical relations with the employers of labour in India. Their report contains many suggestions which are under consideration, and emphasises the necessity of studying the demand for technically-trained men, of attracting Indian capital to industrial enterprise and of supplementing tuition at college by a period of apprenticeship. It also indicates that, while the field of employment or occupation in the highest grades is at present limited, the outlook for Indians is generally hopeful, provided the necessity for preliminary practical training is fully realised.

Schools of Art.

33. There are four government schools of art in India with some 1,300 pupils, of which two are mainly industrial schools or schools of design. Interesting developments are the rise at the Calcutta institution of a new school of Indian painting, which combines Indian treatment of subjects with western technique, and the foundation of an architectural branch in the institution at Bombay. But much remains to be done in connection with the indigenous art industries. This matter requires careful expert consideration. The Government of India will address Local Governments on the subject, and for the present content themselves with advocating the importance and urgency of preserving for, and in, India scientifically arranged collections of the products of its ancient and modern arts and crafts. The understanding and appreciation of eastern art-work in Europe and America is draining good specimens in increasing volume into the public collections of those continents.

Museums.

34. The relation of museums to the educational systems of India was discussed at the conference held at Simla in July 1911. Much valuable work has been done by the zoological and geological sections of the Indian Museum at Calcutta, which are now equipped on modern lines. The archæological section of the same museum has recently been re-organised under the direction of Mr. Marshall, Director-General of Archæology. In provinces outside Bengal also there has been good progress in the right direction, but in the case of most local museums there is need of better equipment and a stronger staff. One of the most urgent needs in India is an ethnographic museum under scientific management designed to illustrate Indian civilisation in its varied phases. Otherwise students in the future will be compelled to visit the museums of Paris, Berlin, Munich and other places in order to study subjects which should clearly be studied best on Indian soil. The Government of India will consult expert opinion on the subject; as at present advised they are inclined to favour the formation of a museum of Indian arts and ethnography at Delhi. Their accepted policy, though some overlapping is inevitable, is to develop local museums with special regard to local interest and to concentrate on matters of general interest in imperial museums. How to make museums more useful educationally and secure greater co-operation between museum authorities and educational authorities is a matter on which they have addressed Local Governments.

Agricultural Education.

35. The present scheme of agricultural education originated under Lord Curzon's government and is, in fact, only seven years old. Previous to the year 1905, there was no central institution for research or teaching, and such education as was then imparted in agriculture, was represented by two colleges and three schools, in a more or less decadent condition. Very few Indians then had any knowledge of science in its application to agriculture, and still fewer were capable of imparting such knowledge to others. In the year 1905 a comprehensive scheme was evolved under which arrangements were made both for the practical development of agriculture by Government assistance and also for teaching and research in agriculture and subjects connected with it. A central institution for research and higher education was established at Pusa. The existing schools and colleges were reconstituted, improved and added to. Farms for experiments and demonstration were started, and, as time went on, a change was effected in regard to agricultural education in its earlier stages. As now constituted the scheme of agricultural education has three main features, *viz.*, (*a*) the provision of first class opportunities for the higher forms of teaching and research, (*b*) collegiate education and (*c*) the improvement of secondary and primary education.

36. The institute at Pusa, maintained at a cost of four lakhs a year, has 37 European and Indians on its staff, engaged partly in research, partly in post-graduate education and the instruction, through short courses, of students or agriculturists in subjects which are not regularly treated in provincial institutions. There are now six provincial institutions containing over 300 students and costing annually between five and six lakhs of rupees. Practical classes for agriculturists have also been established at various centres in several provinces. In the ordinary elementary schools, formal agriculture is not taught; but in some provinces a markedly agricultural colour is given to the general scheme of education.

Veterinary Education.

37. Veterinary research is carried on at the Bacteriological Laboratory at Muktesar. The scheme of veterinary colleges has been thoroughly reorganised since 1904. There are now four such institutions, with 511 students, as well as a school at Rangoon. These institutions meet fairly well the growing demand for trained men.

Forestry Education.

38. The college at Dehra Dun has recently been improved; and a research institution has been established in connection with it. Indians can here obtain an education in forestry which approximates to that ordinarily obtainable in Europe.

Medical Education.

39. Instruction in the western system of medicine is imparted in five recognised colleges and fifteen recognised schools in British India. These now annually produce between six and seven hundred qualified medical practitioners. A medical registration Act has recently been passed for the presidency of Bombay, under which passed students of such schools are entitled to become registered; and a similar Act is now under consideration in the presidency of Bengal. In Calcutta there are four self-constituted medical schools, the diplomas of which are not recognised by the Government of India. Among recent developments may be mentioned the establishment of an X-ray institute at Dehra Dun, and the formation of post-graduate classes in connexion with the Central Research Institute at Kasauli. These latter include training in bacteriology and technique and preparation for special research; classes of practical instruction in malarial technique are also held twice a year at Amritsar under the officer in charge of the malarial bureau.

40. Other projects are engaging the attention of the Government of India, including the institution of a post-graduate course of tropical medicine. The practical want of such a course has long been felt; and the Government of India are now in communication with the Secretary of State regarding its establishment in the Medical College at Calcutta. The Calcutta University have expressed their willingness to co-operate by instituting a diploma to be open to graduates who have taken the course in tropical medicine. A scheme for a similar course in Bombay is also under consideration. The Government of Madras have submitted a scheme for the construction of a pathological institute and the appointment of a whole-time professor of pathology with a view to improve the teaching of that subject at the Madras Medical College. Other matters which are likely to come to the front at no distant date are the improvement of the Medical College at Lahore and its separation from the school, the improvement of the Dacca Medical School and the provision of facilities for medical training in the Central Provinces.

41. The subject of medical education is one in which the Government of India are deeply interested. It is also one that may be expected to appeal with special force to private generosity A problem of particular importance is the inducement of ladies of the better classss to take employment in the medical profession and thus minister to the needs of the women, whom the *purda* system still deters from seeking timely medical assistance. One of the hindrances hitherto has been that Indian ladies are able to obtain instruction only in men's colleges or in mixed classes. With a view to remedying this defect and commemorating the visit of the Queen-Empress to Delhi, certain of the Princes and wealthy landowners in India have now come forward with generous subscriptions in response to an appeal by Her Excellency Lady Hardinge, who has decided to merge in this project her scheme for a school for training Indian nurses and midwives. The Government of India are considering proposals to found a women's medical college and nurses' training school at Delhi with the help of a subvention from Government. Proposals are also under consideration for assisting the National Association for supplying female medical aid to the women of India (the Countess of Dufferin's Fund) to improve the position of their staff.

Legal Education.

42. There has been a marked development of legal education in the last decade. First it has been concentrated. In 1901 there were 35 institutions, colleges, classes and schools containing 2,800 students. At the present time there are 27 institutions with a slightly larger number of students. The Madras and Bombay presidencies, Burma and the Central Provinces each possess a single institution; and in Bengal the instruction for the degree of bachelor of law has been restricted to certain colleges, although other institutions are still recognised for the pleadership examination. A law college has been established on a liberal scale under the University of Calcutta. This concentration has resulted in greater efficiency and greater expenditure. In 1901, the cost to Government was a little over Rs. 7,000 and the total cost was 1½ lakhs. At present the cost to Government is over Rs. 45,000 and the total cost over Rs. 2,83,000. Secondly, the courses have been remodelled and in some cases lengthened. The Government of India will be glad to see an extension of the policy of concentration and improvement. They also desire to see suitable arrangements made for the residence and guidance of law students.

43. There has recently been a considerable expansion in commercial education. Nine years ago there were ten colleges with less than 600 students, and government spent less than Rs. 4,000 upon these institutions. At the present time there are 26 institutions, three of which are under the management of Government, the enrolment is now over 1,500 and the expenditure from provincial funds is over Rs. 22,000. The standard attained in the majority of these institutions is not, however, high, and the instruction given in them prepares for clerical duties in Government and business offices rather than for the conduct of business itself. A project for a commercial college of a more advanced type in Bombay has been sanctioned and the Government of India are considering the question of making arrangements for organised study of the economic and allied sociological problems in India.

Commercial Education.

44. Good work, which the Government of India desire to acknowledge, has been done under conditions of difficulty by the Indian universities; and by common consent the Universities' Act of 1904 has had beneficial results; but the condition of university education is still far from satisfactory, in regard to residential arrangements, control, the courses of study and the system of examination. The Government of India have accordingly again reviewed the whole question of university education.

University Education.

45. It is important to distinguish clearly on the one hand the federal university, in the strict sense, in which several colleges of approximately equal standing separated by no excessive distance or marked local individuality are grouped together as a university—and on the other hand the affiliating university of the Indian type, which in its inception was merely an examining body, and, although limited as regards the area of its operations by the Act of 1904, has not been able to insist upon an identity of standard in the various institutions conjoined to it. The former of these types has in the past enjoyed some popularity in the United Kingdom, but after experience it has been largely abandoned there; and the constituent colleges which were grouped together have for the most part become separate teaching universities, without power of combination with other institutions at a distance. At present there are only 5 Indian universities for 185 arts and professional colleges in British India besides several institutions in Native States. The day is probably far distant when India will be able to dispense altogether with the affiliating university. But it is necessary to restrict the area over which the affiliating universities have control by securing, in the first instance a separate university for each of the leading provinces in India and, secondly, to create new local teaching and residential universities within each of the provinces in harmony with the best modern opinion as to the right road to educational efficiency. The Government of India have decided to found a teaching and residential University at Dacca, and they are prepared to sanction under certain conditions the establishment of similar universities at Aligarh and Benares and elsewhere as occasion may demand. They also contemplate the establishment of universities at Rangoon, Patna and Nagpur. It may be possible hereafter to sanction the conversion into local teaching universities, with power to confer degrees upon their own students, of those colleges which has shown the capacity to attract students from a distance and have attained the requisite standard of efficiency. Only by experiment will it be found out what type or types of universities are best suited to the different parts of India.

Affiliating and teaching universities.

46. Simultaneously the Government of India desire to see teaching faculties developed at the seats of the existing universities and corporate life encouraged, in order to promote higher study and create an atmosphere from which students will imbibe good social, moral and intellectual influences. They have already given grants and hope to give further grants hereafter to these ends. They trust that each university will soon build up a worthy university library, suitably housed, and that higher studies in India will soon enjoy all the external conveniences of such work in the west.

Higher studies.

47. In order to free the universities for higher work and more efficient control of colleges, the Government of India are disposed to think it desirable (in provinces where this is not already the case) to place the preliminary recognition of schools for purposes of presenting candidates for matriculation in the hands of the Local Governments and in case of Native States of the durbars concerned while leaving to the universities the power of selection from schools so recognised. The university has no machinery for carrying out this work and in most provinces already relies entirely on the departments of public instruction, which alone have the agency competent to inspect schools. As teaching and residential universities are developed the problem will become even more complex than it is at present. The question of amending the Universities Act will be separately considsred.

48. The Government of India hope that by these developments a great impetus will be given to higher studies throughout India and that Indian students of the future will be better equipped for the battle of life than the students of the present generation.

Chiefs' Colleges.

49. The chiefs' colleges advance in popularity. In developing character and imparting ideas of corporate life they are serving well the purpose for which they were founded. They are also attaining steadily increasing intellectual efficiency, but the Committee of the Mayo College, Ajmere, have decided that it is necessary to increase the European staff. The post diploma course has on the whole worked satisfactorily, and there is now a movement on foot to found a separate college for the students taking this course. Such a college may in the future become the nucleus of a university for those who now attend the chiefs' colleges.

50. The grave disadvantages of sending their children to England to be educated away from home influences at the most impressionable time of life are being realized by Indian parents. The Government of India have been approached unofficially from more than one quarter in connection with a proposal to establish in India a thoroughly efficient school staffed entirely by Europeans and conducted on the most modern European lines for the sons of those parents who can afford to pay high fees. No project is yet before them, but the Government of India take this opportunity to express their sympathy with the proposal, and, should sufficient funds be forthcoming, will be glad to assist in working out a practical scheme.

Training of teachers.

51. Few reforms are more urgently needed than the extension and improvement of the training of teachers, for both primary and secondary schools in all subjects including, in the case of the latter schools, science and oriental studies. The object must steadily be kept in view that eventually under modern systems of education no teacher should be allowed to teach without a certificate that he is qualified to do so. There are at present 15 colleges and other institutions for the instruction of those who will teach through the medium of English; these contain nearly 1,400 students under training There are 550 schools or classes for the training of vernacular (mainly primary) teachers; and their students number over 11,000. The courses vary in length from one to two years. The number of teachers turned out from these institutions does not meet the existing demand, and is altogether inadequate in view of the prospects of a rapid expansion of education in the near future. The Government of India desire Local Governments to examine their schemes for training teachers of all grades and to enlarge them so as to provide for the great expansion which may be expected, especially in primary education.

52. As regards training colleges for secondary schools some experience has been gained. But the Government of India are conscious that the subject is one in which a free interchange of ideas based on the success or failure of experiment is desirable. The best size for a practising school and the relations between it and the college, the number of students in the college for which the practising school can afford facilities of demonstration without losing its character as a model institution, the nature of, and the most suitable methods of procedure in, practical work; the relative importance of methodology and of psychological study; the best treatment of educational history; the extent to which it is desirable and practicable to include courses in subject matter in the scheme of training, especially courses in new subjects such as manual training and experimental science; the points in which a course of training for graduates should differ from one for non-graduates; the degree to which the body awarding a diploma in teaching should base its award on the college records of the student's work—these and other unsolved questions indicate that the instructors in training colleges in different parts of India should keep in touch with each other and constantly scrutinize the most modern devolopments in the west. Visits made by selected members of the staff of one college to other institutions and the pursuit of furlough studies would seem especially likely to lead to useful results in this branch of education.

Pay and prospects of the services.

53. The Government of India have for sometime had under consideration the improvement of the pay and prospects of the educational services, Indian, Provincial and Subordinate. They had drawn up proposals in regard to the first two services and approved some schemes forwarded by Local Governments in regard to the third, when it was decided to appoint a Royal Commission on the Public Services of India. The Government of India recognise that improvement in the position of all the educational services is required, so as to attract first class men in increasing numbers, and while leaving questions of reorganisation for the consideration of the Commission are considering minor proposals for the improvement of the position of these services. They attach the greatest importance to the provision for the old age of teachers, either by pension or provident fund. Teachers in Government institutions and, in some areas, teachers in schools managed by local bodies are eligible for these privileges. But it is necessary to extend the provision in the case of board and municipal servants and still more in the cases of teachers of privately managed schools, for the great majority of whom no such system exists. It is not possible to have a healthy moral atmosphere in any schools, primary or secondary, or at any college when the teacher is discontented and anxious about the future.

The Governor-General in Council desires that due provision for teachers in their old age should be made with the least possible delay. Local Governments have already been addressed upon this subject.

Education of the domiciled community.

54. The defective state of the education of the domiciled community has long been remarked. Many suggestions have from time to time been made for its improvement. An influential committee, presided over by Sir Robert Laidlaw, is now collecting funds for the schools of all denominations except Roman Catholic schools. As in the case of secondary English education and for similar reasons the policy has been, and is, to rely on private enterprise guided by inspection and aided by grants from public funds. The Government of India have never had any intention of changing their policy. But in order to discuss the whole question and to obtain definite practical suggestions of reform they assembled an influential conference at Simla last July.

55. The recommendations of the conference were numerous and far-reaching. The Government of India are prepared to accept at once the view that the most urgent needs are the education of those children who do not at present attend school and the improvement of the pay and prospects of teachers. They are also disposed to regard favourably the proposal to erect a training college at Bangalore with arts and science classes for graduate courses attached to it. They recognise that grants-in-aid must be given in future on a more liberal scale and under a more elastic system. They will recommend to Local Governments the grant of a greater number of scholarships to study abroad. The proposals to reclassify the schools, to introduce leaving certificates, to include in courses of instruction general hygiene and physiology, special instruction in temperance and the effects of alcohol on the human body, and the several other detailed proposals of the conference will be carefully considered in the light of the opinions of Local Governments when they have been received.

56. The suggestion was put forward and largely supported at the conference that European education should be centralised under the Government of India. This suggestion cannot be accepted. Apart from the fact that decentralisation is the accepted policy of government, the course of the discussion at the conference showed how different were the conditions of life of members of the domiciled community in different parts of India, and how these differences necessarily reacted on their educational arrangements. The Government of India are convinced that although some difficulties might be removed, more would be created by centralisation.

Education of Muhammadans.

57. The figures and general remarks contained in this resolution are general and applicable to all races and religions in India, but the special needs of the Muhammadans and the manner in which they have been met demands some mention. The last nine years have witnessed a remarkable awakening on the part of this community to the advantages of modern education. Within this period the number of Muhammadan pupils has increased by approximately 50 per cent. and now stands at nearly a million and a half. The total Muhammadan population of India is now 57,423,866 souls. The number at school accordingly represents over 16·7 per cent. of those of a school-going age. Still more remarkable has been the increase of Muhammadan pupils in higher institutions, the outturn of Muhammadan graduates having in the same period increased by nearly 80 per cent. But, while in primary institutions the number of Muhammadans has actually raised the proportion at school of all grades among the children of that community to a figure slightly in excess of the average proportion for children of all races and creeds in India, in the matter of higher education their numbers remain well below that proportion notwithstanding the large relative increase. The facilities offered to Muhammadans vary in different provinces, but generally take the form of special institutions, such as *madrassas*, hostels, scholarships and special inspectors. The introduction of simple vernacular courses into *maktabs* has gone far to spread elementary education among Muhammadans in certain parts of India. The whole question of Muhammadan education, which was specially treated by the Commission of 1882 is receiving the attention of the Government of India.

Oriental studies.

58. The Government of India attach great importance to the cultivation and improvement of oriental studies. There is increasing interest throughout India in her ancient civilisation, and it is necessary to investigate that civilisation with the help of the medium of western methods of research and in relation to modern ideas. A conference of distinguished orientalists held at Simla in July 1911 recommended the establishment of a central research institute on lines somewhat similar to those of L'Ecole FranCaise d'Extrême Orient at Hanoi. The question was discussed whether research could efficiently be carried on at the existing universities; and the opinion predominated that it would be difficult to create the appropriate atmosphere of oriental study in those universities as at present constituted, that it was desirable

to have in one institution scholars working of different branches of the kindred subjects which comprise orientalia, and that for reasons of economy it was preferable to start with one institute well-equipped and possessing a first class library. The Government of India are inclined to adopt this view and to agree with the conference that the central institute should not be isolated, that it should be open to students from all parts of India, and that it should as far as possible combine its activities with those of the universities of India and different seats of learning. The object of the institute as apart from research is to provide Indians highly trained in original work who will enable schools of Indian history and archæology to be founded hereafter, prepare *catalogues raisonnés* of manuscripts, develop museums and build up research in universities and colleges of the different provinces. Another object is to attract in the course of time *pandits* and *maulvis* of eminence to the institute and so to promote an interchange of the higher scholarship of both the old and the new school of orientalists throughout India. But before formulating a definite scheme the Governor-General in Council desires to consult Local Governments.

Preservation of the ancient learning.

59. While making provision for scholarship on modern lines, the conference drew attention to the necessity of retaining separately the ancient and indigenous systems of instruction. The world of scholarship, they thought, would suffer irreparable loss if the old type of *pandit* and *maulvi* were to die out before their profound knowledge of their subjects had been made available to the world; and encouragement rather than reform was needed to prevent such an unfortunate result. Certain proposals for encouragement were made at the conference, *viz*,—

(*a*) grants to Sanskrit colleges, *madrassas, tols, patshalas, maktabs pongyi kyaungs* and other indigenous institutions in order to secure better salaries for teachers and to enable students by fellowships or scholarships to carry their education to the highest point possible;

(*b*) the appointment of specially qualified inspectors in orientalia;

(*c*) the provision of posts for highly trained *pandits* and *maulvis*;

(*d*) the grant of money rewards for oriental work.

The Government of India hope to see the adoption of measures that are practicable for the maintenance and furtherance of the ancient indigenous systems of learning and have called for proposals from the Local Governments to this end.

Experts required.

60. The functions of local bodies in regard to education generally and their relations with the departments of public instruction are under the consideration of the Government of India. But it is clear that if comprehensive systems are to be introduced expert advice and control will be needed at every turn. The Government of India propose to examine in communication with Local Governments the organisation for education in each province and its readiness for expansion. A suggestion has been made that the director of public instruction should be *ex-officio* secretary to government. The Government of India agreeing with the great majority of the Local Governments are unable to accept this view, which confuses the position of administrative and secretariat officers; but they consider it necessary that the director of public instruction should have regular access to the head of the administration or the member in charge of the portfolio of education. The Government of India wish generally to utilise to the full the support and enthusiasm of district officers and local bodies in the expansion and improvement of primary education; but the large schemes, which are now in contemplation, must be prepared with the co-operation and under the advice of experts. A considerable strengthening of the supperior inspecting staff, including the appointment of specialists in science, orientalia, etc., may be found necessary in most provinces. In Madras an experienced officer in the education department has been placed on special duty for two years to assist the director of public instruction to prepare the scheme of expansion and improvement in that province, and the Government of India would be glad to see a similar arrangement in all the major provinces should the Local Governments desire it.

Interchange of views.

61. In the resolution of 1904 it was stated that arrangements would be made for periodical meetings of the directors of public instruction in order that they might compare their experience of the results of different methods of work and discuss matters of special interest. The Government of India have already held general conferences at which the directors attended and they are convinced that periodical meetings of directors will be of great value. While each province has its own system it has much to learn from other provinces, and, when they meet, directors get into touch with new ideas and gain the benefit of experience obtained in other provinces. The Government of India are impressed with the necessity not

only of exchange of views amongst experts, but also of the advantages of studying experiments all over India on the spot; and in a letter of the 7th July 1911, they invited Local Governments to arrange that professors of arts and technical colleges and inspectors of schools should visit institutions outside the province where they are posted, with a view to enlarging their experience.

Conclusion.

62. Such in broad outline are the present outlook and the general policy for the near future of the Government of India. The main principles of this policy were forwarded to His Majesty's Secretary of State on the 28th September 1911, and parts of it have already been announced. It was, however, deemed convenient to defer the publication of a resolution until the whole field could be surveyed. This has now been done. The Governor-General in Council trusts that the growing section of the Indian public which is interested in education will join in establishing, under the guidance and with the help of government, those quickening systems of eduction on which the best minds in India are now converging and on which the prospect of the rising generation depend. He appeals with confidence to wealthy citizens throughout India to give of their abundance to the cause of education. In the foundation of scholarships; the building of hostels, schools, collages, laboratories, gymnasia, swimming baths, the provision of playgrounds and other structural improvements; in furthering the cause of modern scientific studies and especially of technical education; in gifts of prizes and equipment, the endowment of chairs and fellowships, and the provision for research of every kind there is a wide field and a noble opportunity for the exercise on modern lines of that charity and benevolence for which India has been renowned from ancient times.

Government of Madras.
Ditto Bombay.
Ditto Bengal.
Ditto the United Provinces.
Ditto the Punjab.
Ditto Burma.
Ditto Bihar and Orissa.
The Hon'ble the Chief Commissioner, Central Provinces.
The Hon'ble the Chief Commissioner, Assam.
The Chief Commissioner of Coorg.
The Hon'ble the Chief Commissioner and Agent to the Governor-General, North-West Frontier Province.
The Home Deapartment.
The Foreign Department.
The Department of Revenue and Agriculture.
Ditto Commerce and Industry.

Order.—Ordered, that a copy of the above Resolution be forwarded for information to the Local Governments and Administrations and the Departments of the Government of India noted on the margin.

Ordered, also, that the Resolution be published in the Supplement to the *Gazette of India.*

H. SHARP,

Joint Secretary to the Government of India.

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Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MARCH 7, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MARCH 1, 1913.

DEPARTMENT OF EDUCATION.

NOTIFICATIONS.

SANITARY.

Delhi, the 25th February 1913.

No. 258-*C. D.*—The services of Captain H. C. Brown, M.B., I.M.S., Officiating Assistant Director, Central Research Institute, Kasauli, are placed temporarily at the disposal of the Government of the United Provinces.

ECCLESIASTICAL.

The 28th February 1913.

No. 65-*C. D.*—The Governor-General in Council is pleased to direct that the words "Suitable number plates may be provided for the graves" shall be added to the note to rule 10, Part I, of the Ecclesiastical Rules published with the Home Department Notification No. 465, dated the 6th November 1909.

L. C. PORTER,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 26th February 1913.

No. 5.—With reference to Public Works Department Notification No. 35, dated the 3rd July 1912, the services of Mr. A. K. Cargill, Assistant Engineer, are replaced at the disposal of the Government of the Punjab with effect from the afternoon of the 15th February 1913.

No. 6.—The Governor General in Council is pleased to order the following promotions to and in, and reversions from, the Chief Engineer classes, with effect from the dates specified :—

Name.	From	To	With effect from
* * *	* * *	* * *	* *
Maclagan, Col. R. S., C.S.I., C.B., R.E.	Chief Engineer, 2nd class, *tempy. rank.*	Chief Engineer, 2nd class, permanent.	1st April 1912.
* * *	* * *	* * *	* *
Gwyther, F. E. ...	Officiating Chief Engineer...	Chief Engineer, 2nd class, *tempy. rank.*	31st July 1912.
* * *	* * *	* * *	* *
Tickell, R. H. ...	Officiating Chief Engineer...	Superintending Engineer ...	11th August 1912.
* * *	* * *	* * *	* *

W. B. GORDON,

Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATION.

SEPARATE REVENUE.

STAMPS.

NON-JUDICIAL.

Delhi, the 28*th February* 1913.

No. 246-*F.*—In exercise of the powers conferred by Section 9, clause (*a*), of the Indian Stamp Act, 1899 (II of 1899), the Governor-General in Council is pleased to direct that the following amendments shall be made in the schedule attached to the Notification of the Government of India in the Finance Department, No. 3616-Exc., dated the 16th July 1909 :—

I.—In entry 3 of the said schedule for the words "Agar, Guna, Sehore, Sirdarpur and Sutna," and "Baroda, Deesa and Bhuj," respectively, the words "and Sehore" and "Baroda and Deesa" shall be substituted.

II.—After entry 8 of the said schedule the following entries shall be added, namely :—

9. Railway lands in the Mysore State over which the Governor-General in Council exercises jurisdiction.

10. Railway lands in the Baroda State and in States in the political control of the Government of Bombay, over which jurisdiction has been ceded to the British Government and to which the provisions of the Indian Stamp Act, 1899, have been applied.

11. Railway lands in Jammu and Kashmir and in States in the Punjab over which the Governor-General in Council exercises jurisdiction.

R. W. GILLAN,

Secretary to the Government of India

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATIONS.

EXCISE.

Delhi, the 1st March 1913.

No. 137-25-*Camp.*—In exercise of the powers conferred by section 6 of the Opium Act, 1878 (I of 1878), and in supersession of the notification of the Government of India in the Finance Department, No. 1425 F. E., dated the 6th March 1911, the Governor-General in Council is pleased to direct that duty at the rate of Rs. 10 per seer shall be levied, with effect from the 1st April 1913, upon all opium imported into the North-West Frontier Province :

Provided that the said duty shall not be leviable in respect of—

(*a*) poppy heads ; or

(*b*) opium on which duty has already been paid in the Punjab.

No. 139-25-*Camp.*—In exercise of the powers conferred by section 6 of the Opium Act, 1878 (I of 1878), and in supersession of the notification of the Government of India in the Finance Department, No. 1427 F. E., dated the 6th March 1911, the Governor-General in Council is pleased to direct that duty at the rate of Rs. 10 per seer shall be levied, with effect from the 1st April 1913, upon all opium imported into the Punjab :

Provided that the said duty shall not be leviable in respect of—

(*a*) poppy heads ; or

(*b*) opium produced in the Hill States of the Punjab ; or

(*c*) opium on which duty has already been paid in the North-West Frontier Province.

R. E. ENTHOVEN,

Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 28th February 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

Punjab Light Horse.

No. 193.—George Kemp Walker, F.R.C.V.S., (Major, Civil Veterinary Department), Veterinary Officer of the Corps, to be Major, *vice* H. T. Pease, C.I.E., promoted Dated the 10th December 1912.

John Farmer, F.R.C.V.S., (Lieutenant-Colonel, Civil Veterinary Department), to be Veterinary Officer, *vice* G. K. Walker, F.R.C.V.S., vacated. Dated the 12th December 1912.

1st Punjab Volunteer Rifles.

No. 197.—Albert Blackwood to be Lieutenant, to fill an existing vacancy. Dated the 1st November 1912.

William Henry Murray to be Second Lieutenant, to fill an existing vacancy. Dated the 1st November 1912.

Frederick Robert Grindal to be Second Lieutenant, to fill an existing vacancy. Dated the 1st November 1912.

Lionel Heath to be Second-Lieutenant, to fill an existing vacancy. Dated the 1st November 1912.

W. R. BIRDWOOD, MAJOR-GENERAL,

Secretary to the Government of India.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED 1ST MARCH 1913.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

MEDICAL.

Delhi, the 28th February 1913.

RESOLUTION.

QUESTION WHETHER PERSONS ATTENDING HOSPITALS AND DISPENSARIES MAINTAINED OR ASSISTED FROM PUBLIC FUNDS SHOULD BE CONSIDERED TO BE ENTITLED TO GRATUITOUS MEDICAL ADVICE AND TREATMENT, IRRESPECTIVE OF THEIR CIRCUMSTANCES.

The following Resolution is published for general information :—

No. 1211-C/1222-C.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

MEDICAL.

Delhi, the 19th February 1913.

RESOLUTION.

The Governor-General in Council has recently had occasion to examine, in consultation with Local Governments, the question whether persons attending hospitals and dispensaries maintained or assisted from public funds should be considered to be entitled to gratuitous medical advice and treatment, irrespective of their circumstances, or whether payment should be required in the case of those who are not actually poor. The replies received indicate a considerable divergence of practice in the several provinces, as also distinct differences of opinion regarding the policy which it is expedient to adopt, but while recognising that the varying conditions prevailing in different parts of the country render it impossible and undesirable to prescribe any one course for universal adoption, the Government of India are of opinion that it would be useful to set forth the considerations which have been urged on either side and to make known briefly the systems which are now followed, in order that action may be taken to enforce the principle of discrimination which, to their mind, the time has now come to accept.

2. The provinces which are averse from the introduction of a general requirement of payment by those who can afford to do so are Madras, Bengal, Eastern Bengal and Assam* and Burma, and the reasons which have been urged in support of this view may be summarised as follows :—

(a) The really well-to-do do not, as a matter of fact, resort to public hospitals (or at least to an extent likely to interfere seriously with the prospects of private practitioners), being deterred therefrom by prejudices (especially in the case of the ladies of the family), the discomfort of waiting along with others, and the smaller degree of personal attention which can inevitably be given to each case at a public institution as compared with a private home.

* The enquiries made were prior to the creation of the provinces of Bihar and Orissa and Assam.

(*b*) The resort of as many people as possible to the public hospitals assists in the spread of a knowledge of the benefits of western medical science, which it is not desirable in any way to discourage, looking to the fact that the existing facilities for efficient medical treatment are admittedly inadequate for the needs of the country. To prevent the access of any class to such hospitals as there are might mean that they were debarred from proper medical advice.

(*c*) It would be difficult to draw a dividing line between rich and poor without enquiries which would be resented, and which would place an undesirable power in the hands of subordinates.

(*d*) The flow of private subscriptions (already in many places meagre) might be interrupted by any interference with the charitable aspect of medical relief.

It is not the case, however, that even in the provinces named medical assistance is at present given entirely free. In Madras, medicines as distinct from advice, are generally paid for, both in public and municipal institutions (though not in those maintained by Local Boards), by persons possessing more than a defined minimum income, while charges are recovered in the Presidency hospitals. A similar procedure as regards medicines is followed in Assam. In Burma and Eastern Bengal persons of reasonable means are supposed, in theory, to make some return for attendance in the shape of voluntary subscriptions.

3. On the other hand, the Local Governments of Bombay, the Punjab and the Central Provinces are in favour of some system of payment by those in a position to do so for the benefits conferred by public medical institutions. In Bombay rules directed towards this end are under preparation, while in the Central Provinces experiments are being tried with the view of arriving at a satisfactory solution of the difficulty. In the Punjab the Lieutenant-Governor has made a public pronouncement in favour of the imposition of small fees, but it is reported that opposition from municipal committees has been encountered. The Local Government of the United Provinces, while conscious of the obstacles which have hitherto been regarded as rendering inexpedient the levy of any charge, considers that these are weakening, and that the time has now come to review the position. The arguments upon which reliance is placed by those who advocate some insistence upon a pecuniary return from those capable of making it without hardship are, briefly, as follows :—

(*i*) The field to be covered before the provision of medical aid in this country can be regarded as sufficient is enormous, and it is therefore all the more necessary that the burden upon public and local funds shall be confined to the cases of the poor who are unable to help themselves. The abuse of charity by those who can afford to pay merely retards the extension of facilities to localities where they are at present unknown.

(*ii*) The complaint that public institutions unduly hamper private practitioners is not unfounded, and to the extent that the growth of an independent medical profession trained in western methods is thereby hindered, this competition is to be deprecated. Government can never hope to do all that is needed in the matter of medical relief in this country, and it owes it to the men now passed out of its colleges and schools that they shall have a fair opportunity of establishing themselves.

(*iii*) The difficulties anticipated in the way of the differential treatment of patients of means have in fact been surmounted in some places and should not prove to be insuperable.

4. From the evidence at their disposal the Government of India are convinced that resort is at present had to the public hospitals by persons who are in a position to pay for such benefits, and they consider that it is only fair to the growing private medical profession that an effort should be made to prevent this practice. That these hospitals help greatly to spread the popularity of western medicine they have no doubt, but except, perhaps, in the less developed parts of the country, an appreciation of European methods is already extending, and the efforts of the men trained in the Government colleges and schools are all helping towards this result. With the exception of the more backward areas it should be possible to avoid the pauperisation of the people in the matter of medical relief, without preventing the treatment at the public expense of the poor who are willing to avail themselves of the opportunity, and as the figures show the number of these is yearly increasing. In so far as more funds can be secured from the contributions of those in easier circumstances, the extension of medical aid will be facilitated, and the fear that the refusal of gratuitous treatment to those who cannot be described as indigent will prejudice the progress of western science is apt to be exaggerated. Persons in comfortable circumstances have to be educated up to the recognition of the fact that they have no claim to free medical relief at the cost

of the State. The introduction of an efficient system of discrimination must be governed by local conditions; it is mainly a matter of method and supervision, and the efforts which have been made to improve the status of the subordinate establishments should lessen the risk of the harassment of the people at their hands. Moreover, as the people themselves become better educated they should be more capable of protecting themselves. In Madras the limits of income entitling persons to free medicine or otherwise appear to have been fixed by Government, and this also is the intention in Bombay; in the Central Provinces the agency of the dispensary committees is made use of either to prepare lists of those who are considered able to pay, according to a scale laid down by the Inspector-General of Civil Hospitals, or to certify as to the suitability of those who can reasonably claim exemption. Another possible method is the requirement of a minimum contribution from a locality before a dispensary is opened in its midst. The immediate treatment of urgent cases in all circumstances can be prescribed without difficulty, but for the rest no hard-and-fast rules can be framed for adoption everywhere, and the local knowledge of those controlling these institutions must be trusted to devise whatever method may best suit the particular conditions to be dealt with.

5. It is sufficient that the Governor-General in Council should make it known that the principle of discrimination is that towards which all provinces should work. Obviously the more important urban centres where supervision is strongest, and the supply of private practitioners adequate, afford the best opportunity for an early move in this direction, and specially is this the case with reference to private wards in the larger hospitals. In fact any patient who can afford to pay for separate accommodation should be charged a reasonable sum in addition for attendance and medicines, and care should be taken not to undersell private nursing homes and chemists' shops or to compete with private medical men. In rural areas progress may be less rapid and it must be adapted to local conditions, but it is the wish of the Government of India that the object to be secured, namely, that persons should not be treated at the public expense who can afford to pay, should be consistently kept in view and action gradually taken as circumstances permit to attain this end.

ORDER—Ordered that a copy of this resolution be forwarded to Local Governments and Administrations for information and guidance.

H. WHEELER,

Secretary to the Government of India.

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PUNJAB AND ITS DEPENDENCIES.

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PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MARCH 8, 1913.

HOME DEPARTMENT.

NOTIFICATION.

JUDICIAL.

Delhi, the 5th March 1913.

No. 1550-*C.*—In exercise of the powers conferred by section 4 of the Punjab Courts Act, 1884 (XVIII of 1884), the Governor-General in Council is pleased to make the following appointments during the absence on leave of the Hon'ble Mr. W. Chevis, I.C.S., or until further orders :—

The Hon'ble Lieutenant-Colonel G. C. Beadon, second temporary additional Judge of the Chief Court, to act as first temporary additional Judge of that Court.

Mr. H. Scott-Smith, I.C.S., a Divisional Judge in the Punjab, to act as second temporary additional Judge of the Chief Court.

H. WHEELER,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 28th February 1913.

No. 7.—The services of Mr. Bhagwati Prasad Varma, Executive Engineer, Public Works Department, Irrigation Branch, Punjab, are placed at the disposal of the Chief Commissioner, Delhi, with effect from the 18th December 1912.

No. 8.—Captain H. W. Roberts, R.E., Military Works Services, temporarily employed under the Chief Commissioner, Delhi, in connection with Temporary Works in Delhi, is permanently appointed to the Public Works Department, and is posted to the Punjab. He will, however, continue to serve under the Chief Commissioner, Delhi, until further orders.

The 6th March 1913.

No. 9.—The services of Captain A. S. Holme, R. E., Executive Engineer, Public Works Department, are, with reference to the Public Works Department Notification No. 44, dated the 29th August 1912, replaced at the disposal of the Government of the Punjab with effect from the 4th March 1913.

W. B. GORDON,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

EDUCATION.

Delhi, the 7th March 1913.

No. 420-C. D.—The following statement showing the educational progress in Ind'o and in the several provinces is published for general information :—

STATEMENT OF EDUCATIONAL PROGRESS IN INDIA.

——	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	1,118,566	1,151,022	1,144,105	1,145,728	1,152,894	1,135,5[illegible]3
Population ... Male ...	122,470,010	123,249,577	123,249,836	122,699,630	130,113,723	130,408,551
Population ... Female ...	118,794,958	119,570,056	119,570,469	119,017,958	124,706,893	124,960,002
TOTAL POPULATION ...	241,264,968	242,819,633	242,820,305	241,717,588	254,820,616	255,368,553
Public Institutions for Males.						
Number of arts colleges ...	128	126	123	128	128	130
Number of high schools* ...	1,165	1,169	1,174	1,190	1,203	1,219
Number of primary schools ...	102,947	104,354	106,329	107,463	108,144	110,692
Male Scholars in Public Institutions.						
In arts colleges	18,758	19,384	18,788	22,912	24,806	29,369
In high schools*	283,391	301,565	3'5,905	344,647	364,704	390,881
In primary schools... ...	†3,424,618	3,626,044	3,786,462	3,888,671	3,936,419	4,202,631
Percentage of male scholars in public institutions to male population of school-going age.	22·7	23·1	25·15	26·2	25·3‡	26·8
Public Institutions for Females.						
Number of arts colleges ...	8	8	7	8	8	10
Number of high schools* ...	112	114	124	125	130	135
Number of primary schools ...	9,983	10,845	11,511	11,753	12,027	12,886
Female Scholars in Public Institutions.						
In arts colleges	160	175	185	217	244	279
In high schools*	11,885	12,924	13,654	14,257	14,864	16,884
In primary schools	†513,248	570,540	631,906	668,636	689,471	785,511
Percentage of female scholars in public institutions to female population of school-going age.	3·2	3·6	4·0	4·2	4·2‡	4·7
TOTAL SCHOLARS in public institutions. Male	4,183,041	4,428,175	4,650,134	4,826,554	4,930,084	5,253,065
TOTAL SCHOLARS in public institutions. Female	561,439	647,786	720,342	763,580	793,646	875,660
TOTAL ...	4,744,480	5,075,961	5,370,476	5,590,134	5,723,730	6,128,725
TOTAL SCHOLARS (both male and female) in all institutions.	5,388,632	5,699,146	5,972,204	6,203,305	6,345,582	6,780,721
Expenditure (in thousands of rupees).						
From provincial revenues ...	1,84,98	1,98,54	2,12,42	2,34,30	2,42,08	2,69,59
From local funds	91,16	1,01,86	1,17,24	1,02,24	1,00,32	1,05,80
From municipal funds ...	20,21	22,22	24,27	24,56	28,00	29,84
Total Expenditure from public funds.	2,96,35	3,22,62	3,53,93	3,61,10	3,70,40	4,05,2[illegible]
From fees	1,48,21	1,57,30	1,69,37	1,85,42	2,00,67	2,19,09
From other sources... ...	1,14,48	1,21,67	1,35,18	1,40,24	1,47,61	1,61,61
GRAND TOTAL OF EXPENDITURE.	5,59,04	6,01,59	6,58,48	6,86,76	7,18,68	7,85,93

*High schools include vernacular high schools also in some provinces.

†Corrected figures from General Table 1 (Q. R.).

‡The percentages for 1910-11, being reckoned on the new Census figures are slightly misleading for purposes of comparison with previous years. This remark applies throughout all the Tables.

STATEMENT OF EDUCATIONAL PROGRESS IN MADRAS.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	141,866	No change.	No change.	No change.	141,866	142,491
Population ... Male ...	18,841,971				20,152,916	20,389,666
Population ... Female ...	19,368,391				20,770,668	21,029,264
TOTAL POPULATION ...	38,210,362				40,923,584	41,418,930
Public Institutions for Males.						
Number of arts colleges ...	34	33	32	30	30	30
Number of high schools ...	171	170	169	172	172	168
Number of primary schools ...	21,379	21,929	22,412	23,108	23,426	24,044
Male Scholars in Public Institutions.						
In arts colleges ...	4,648	4,283	4,227	3,911	3,709	4,893
In high schools ...	57,557	64,185	66,189	72,673	69,543	71,394
In primary schools ...	619,851	659,716	689,817	739,933	766,884	829,331
Percentage of male scholars in public institutions to male population of school-going age.	25·7	27·4	27·8	30·8	29·7	30·8
Public Institutions for Females.						
Number of arts colleges ...	2	2	1	1	1	2
Number of high schools* ...	26	28	32	31	32	33
Number of primary schools ...	899	893	862	886	900	1,162
Female Scholars in Public Institutions.						
In arts colleges ...	39	37	38	37	32	46
In high schools* ...	3,279	3,808	4,981	4,212	4,027	4,510
In primary schools ...	120,253	127,107	135,784	147,910	156,027	199,719
Percentage of female scholars in public institutions to female population of school-going age.	5·1	5·4	5·8	6·2	6·1	6·6
TOTAL SCHOLARS in public institutions. Male	726,926	775,450	813,056	870,505	896,701	943,369
TOTAL SCHOLARS in public institutions. Female	148,740	156,948	168,167	181,461	190,861	209,517
TOTAL ...	875,666	932,398	981,223	1,051,966	1,087,562	1,152,886
TOTAL SCHOLARS (both male and female) in all institutions.	1,007,118	1,057,170	1,099,615	1,179,048	1,215,725	1,280,065
Expenditure (in thousands of rupees).						
From provincial revenues ...	24,73	28,40	27,79	39,07	43,16	44,22
From local funds ...	14,97	16,69	20,91	11,45	11,24	12,28
From municipal funds ...	3,09	2,95	3,84	3,17	3,21	3,15
Total Expenditure from public funds.	42,79	48,04	52,54	53,69	57,61	59,65
From fees ...	29,98	31,98	32,50	34,89	37,29	37,90
From other sources ...	24,87	26,89	32,37	30,81	32,78	38,10
GRAND TOTAL OF EXPENDITURE.	97,64	1,06,91	1,17,41	1,19,39	1,27,68	1,35,65

* Include also vernacular high schools for girls.

STATEMENT OF EDUCATIONAL PROGRESS IN BOMBAY.

——	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	188,826	No change.	No change.	No change.	188,826	188,826
Population ... Male ...	13,098,354	No change.	No change.	No change.	14,006,375	14,013,[illegible]
Population ... Female ...	12,373,014	No change.	No change.	No change.	13,071,673	13,074,273
TOTAL POPULATION ...	25,471,368				27,078,048	27,087.795
Public Institutions for Males.						
Number of arts colleges ...	10	11	11	11	11	11
Number of high shools ...	114	115	112	114	117	129
Number of primary schools ...	9,485	9,602	9,900	10,686	11,267	11,609
Male Scholars in Public Institutions.						
In arts colleges	2,690	2,567	2,613	2,958	3,177	3,643
In high schools	31,860	33,079	35,921	37,707	39,569	41,825
In primary schools	490,585	515,382	539,513	580,927	593,197	630,427
Percentage of male scholars in public institutions to male population of school-going age.	28·1	29·4	30·9	33·2	31·8	33·6
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	22	23	25	26	24	27
Number of primary schools ...	997	1,026	1,050	1,104	1,121	1,154
Female Scholars in Public Institutions.						
In arts colleges	57	53	60	76	81	76
In high schools	2,517	2,555	2,859	2,929	2,987	3,662
In primary schools	89,044	92,158	101,328	109,606	112,105	126,703
Percentage of female scholars in public institutions to female population of school-going age.	5·1	5·3	5·8	6·3	6·1	6·9
TOTAL SCHOLARS in public institutions. Male ...	551,345	578,348	607,537	653,704	667,469	707,328
TOTAL SCHOLARS in public institutions. Female	95,432	98,799	108,176	116,731	119,596	134,981
TOTAL ...	646,777	677,147	715,713	770,435	787,065	842,309
TOTAL SCHOLARS (both male and female) in all institutions.	720,547	749,391	792,559	850,293	868,535	922,877
Expenditure (in thousands of rupees).						
From provincial revenues ...	43,08	44,90	46,72	49,04	46,60	[illegible],98
From local funds	7,82	8,72	10,77	10,34	10,84	10,76
From municipal funds ...	5,88	7,08	7,34	7,50	9,54	10,14
Total Expenditure from public funds.	56,78	60,70	64,83	66,88	66,98	74,88
From fees ...	20,12	21,81	22,40	23,96	24,49	26,2[illegible]
From other sources ..	29,53	30,92	30,80	32,68	32,53	35,02
GRAND TOTAL OF EXPENDITURE.	1,06,43	1,13,43	1,18,03	1,23,52	1,24,00	1,36,17

STATEMENT OF EDUCATIONAL PROGRESS IN BENGAL.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	148,592	124,432	No change.	124,492	124,492	No change.
(a) Population ... Male ...	27,140,616	26,674,767	26,675,026	26,124,820	27,436,187	No change.
Population ... Female ...	27,521,913	27,097,147	27,097,560	26,545,049	27,587,153	No change.
TOTAL POPULATION ...	54,662,529	53,771,914	53,772,586	52,669,869	55,023,340	...
Public Institutions for Males.						
Number of arts colleges ...	32	32	29	29	29	29
Number of high schools ...	397	397	397	396	399	398
Number of primary schools ...	33,962	33,960	34,480	35,201	35,437	36,342
Male Scholars in Public Institutions.						
In arts colleges	(a) 5,166	5,455	4,613	7,107	8,255	9,635
In high schools	80,327	80,380	82,822	87,172	94,844	103,096
In primary schools... ...	910,081	934,121	968,939	992,103	997,953	1,047,769
Percentage of male scholars in public institutions to male population of school-going age.	26·8	28·6	30·2	32·0	31·4	33·2
Public Institutions for Females.						
Number of arts colleges ...	2	2	2	3	3	3
Number of high schools ...	14	15	17	17	21	19
Number of primary schools ...	3,235	3,384	3,029	3,065	3,052	3,124
Female Scholars in Public Institutions.						
In arts colleges	24	38	42	47	63	81
In high schools	1,467	1,631	1,974	2,046	2,301	2,423
In primary schools	117,296	127,803	139,904	145,233	146,223	158,616
Percentage of female scholars in public institutions to female population of school-going age.	3·0	3·5	3·9	4·2	4·2	4·6
TOTAL SCHOLARS in public institutions. Male ...	1,090,128	1,146,567	1,208,718	1,254,914	1,290,621	1,364,946
TOTAL SCHOLARS in public institutions. Female	124,886	141,974	159,562	167,505	173,207	189,971
TOTAL ...	1,215,014	1,288,541	1,368,280	1,422,419	1,463,828	1,554,917
TOTAL SCHOLARS (both male and female) in all institutions.	1,269,038	1,338,190	1,421,389	1,475,376	1,518,239	1,609,360
Expenditure (in thousands of rupees).						
From provincial revenues ...	36,67	41,38	49,79	49,93	50,16	54,76
From local funds	10,93	11,19	11,56	11,36	11,64	11,64
From municipal funds ...	1,20	1,31	1,32	1,41	1,58	1,70
Total Expenditure from public funds.	48,80	53,88	62,67	62,70	63,38	68,10
From fees	43,43	46,31	52,71	56,19	61,02	67,88
From other sources ...	24,40	25,37	29,20	32,00	36,31	36,04
GRAND TOTAL OF EXPENDITURE.	1,16,63	1,25,56	1,44,58	1,50,89	1,60,71	1,72,02

(a) Excluding the D. U. Mission College, Hazaribagh.

STATEMENT OF EDUCATIONAL PROGRESS IN EASTERN BENGAL AND ASSAM.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	101,147	No change.	No change.	No. change.	111,645	No change.
Population ... Male ...	15,679,409				17,706,396	
Population ... Female ...	15,108,725				16,887,966	
TOTAL POPULATION ...	30,788,134				34,594,362	
Public Institutions for Males.						
Number of arts colleges ...	11	11	11	11	10	10
Number of high schools ...	212	217	216	215	217	224
Number of primary schools ...	17,531	17,516	18,042	17,325	17,292	17,723
Male Scholars in Public Institutions.						
In arts colleges ...	1,197	1,394	1,329	2,034	2,418	2,989
In high schools ...	47,135	49,867	51,900	56,982	64,347	74,581
In primary schools ...	543,088	590,542	637,324	621,087	623,925	672,835
Percentage of male scholars in public institutions to male population of school-going age.	29·6	31·2	33·6	33·4	30·3	33·1
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	3	3	3	3	3	4
Number of primary schools ...	2,789	3,284	4,101	4,210	4,527	4,957
Female Scholars in Public Institutions.						
In arts colleges ...	...	...	...	...	...	...
In high schools ...	321	277	358	383	478	716
In primary schools ...	68,803	86,995	111,307	119,979	128,727	142,364
Percentage of female scholars in public institutions to female population of school-going age.	2·3	3·8	5·0	5·3	5·2	5·7
TOTAL SCHOLARS in public institutions Male ...	697,004	732,843	790,178	785,146	805,311	880,500
TOTAL SCHOLARS in public institutions Female	52,683	89,133	113,595	122,363	131,342	145,376
TOTAL ...	749,687	821,976	903,773	907,509	936,653	1,025,876
TOTAL SCHOLARS (both male and female) in all institutions.	815,599	880,631	953,123	954,883	984,213	1,075,124
Expenditure (in thousands of rupees).						
From provincial revenues ...	13,03	16,13	20,21	19,37	22,05	25,34
From local funds ...	11,78	13,58	14,91	13,24	13,38	14,29
From municipal funds ...	32	34	42	51	47	48
Total Expenditure from public funds.	25,13	30,05	35,54	33,12	35,90	40,11
From fees ...	18,52	20,05	22,10	23,44	26,67	30,15
From other sources ...	7,59	8,19	8,70	9,38	10,48	10,20
GRAND TOTAL OF EXPENDITURE.	51,24	58,29	66,34	65,94	73,05	80,46

STATEMENT OF EDUCATIONAL PROGRESS IN THE UNITED PROVINCES.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ..	107,164	No change.	No change.	No change.	107,164	107,267
(a) Population ... Male ...	24,616,942				24,628,344	24,641,831
Population ... Female ...	23,074,840				22,565,048	22,540,213
TOTAL POPULATION ...	47,691,782				47,193,392	47,182,044
Public Institutions for Males.						
Number of arts colleges ...	25	23	24	31	31	32
Number of high schools ...	108	104	108	112	113	115
Number of primary schools ...	9,545	9,717	9,598	9,267	9,067	9,258
Male Scholars in Public Institutions.						
In arts colleges ...	3,030	3,424	3,519	4,150	4,180	4,602
In high schools ...	24,520	26,470	28,647	32,065	33,192	34,257
In primary schools ...	409,993	447,726	450,309	436,675	432,497	470,953
Percentage of male scholars in public institutions to male population of school-going age.	13·6	14·6	14·6	14·4	14·4	15·5
Public Institutions for Females.						
Number of arts colleges ...	4	4	4	4	4	5
Number of high schools ...	22	22	22	23	20	20
Number of primary schools ...	767	850	938	936	941	957
Female Scholars in Public Institutions.						
In arts colleges ...	38	42	38	45	51	54
In high schools ...	1,799	1,838	1,827	1,960	1,824	1,804
In primary schools ...	30,973	38,968	39,316	36,017	37,365	41,340
Percentage of female scholars in public institutions to female population of school-going age.	1·0	1·2	1·3	1·2	1·3	1·4
TOTAL SCHOLARS in public institutions. Male...	501,745	537,633	539,414	533,175	530,341	573,194
TOTAL SCHOLARS in public institutions. Female	35,152	43,166	44,319	41,529	43,066	48,394
TOTAL ...	536,897	580,799	583,733	574,704	573,407	621,588
TOTAL SCHOLARS (both male and female) in all institutions.	606,174	654,527	658,348	647,581	645,787	712,000
Expenditure (in thousands of rupees).						
From provincial revenues ...	22,59	18,44	21,76	29,45	31,33	37,50
From local funds ...	24,72	26,81	30,25	27,69	24,74	26,54
From municipal funds ...	1,97	2,36	2,81	3,01	3,17	3,54
Total Expenditure from public funds.	49,28	47,61	54,82	60,15	59,24	67,58
From fees ...	13,51	14,04	15,03	17,32	18,59	20,50
From other sources ...	12,11	12,11	14,67	15,76	15,56	19,85
GRAND TOTAL OF EXPENDITURE.	74,90	73,76	84,52	93,23	93,39	1,07,93

STATEMENT OF EDUCATIONAL PROGRESS IN THE PUNJAB.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	97,209	No change.	97,272	No change.	97,213	No change.
Population — Male ...	10,942,705	No change.	No change.	No change.	10,992,067	No change.
Population — Female ...	9,387,634	No change.	No change.	No change.	8,982,889	No change.
TOTAL POPULATION ...	20,330,339				19,974,956	
Public Institutions for Males.						
Number of arts colleges ...	10	10	10	10	11	11
Number of high schools* ...	94	93	94	98	98	101
Number of primary schools ...	3,151	3,343	3,408	3,345	3,321	3,417
Male Scholars in Public Institutions.						
In arts colleges	1,598	1,725	1,860	2,022	2,270	2,659
In high schools*	30,781	32,043	34,971	40,895	44,893	47,740
In primary schools ...	141,345	146,290	149,542	157,946	164,081	179,410
Percentage of male scholars in public institutions to male population of school-going age.	12·8	13·3	13·8	14·9	15·6	16·9
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	12	11	12	12	15	16
Number of primary schools ...	542	586	600	602	599	637
Female Scholars in Public Institutions.						
In arts colleges	...	...	...	...	...	...
In high schools	957	929	944	1,007	1,244	1,605
In primary schools	20,201	21,615	22,672	26,309	26,174	29,269
Percentage of female scholars in public institutions to female population of school-going age	1·7	1·8	1·9	2·2	2·4	2·7
TOTAL SCHOLARS in public institutions. — Male	210,853	218,592	226,502	245,722	257,432	279,492
TOTAL SCHOLARS in public institutions. — Female	24,042	25,679	27,282	30,995	32,186	36,675
TOTAL ...	234,895	244,271	253,784	276,717	289,618	316,167
TOTAL SCHOLARS (both male and female) in all institutions	300,237	302,863	302,576	329,466	346,940	381,113
Expenditure (in thousands of rupees).						
From provincial revenues ...	19,69	20,78	17,66	18,61	18,63	22,79
From local funds	9,58	11,48	12,43	12,39	12,31	12,44
From municipal funds ...	2,85	2,76	3,06	3,43	4,05	3,53
Total Expenditure from public funds.	32,12	35,02	33,15	34,43	34,99	38,76
From fees	11,42	11,23	11,98	13,34	15,20	17,75
From other sources	8,43	10,11	10,46	10,66	10,38	12,14
GRAND TOTAL OF EXPENDITURE.	51,97	56,36	55,59	58,43	60,57	68,65

* Include also vernacular high schools.

STATEMENT OF EDUCATIONAL PROGRESS IN BURMA.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	219,894	No change.	236,738	No change.	236,738	236,839
Population { Male... ...	5,335,484	5,342,033	No change.		6,144,301	6,183,494
Population { Female ...	5,142,024	5,148,591			5,913,604	5,931,723
TOTAL POPULATION ...	10,477,508	10,490,624			12,057,905	12,115,217
Public Institutions for Males.						
Number of arts colleges ...	2	2	2	2	2	2
Number of high schools* ...	26	29	31	35	39	36
Number of primary schools ...	4,950	5,113	5,261	5,163	4,895	4,764
Male Scholars in Public Institutions.						
In arts colleges	133	133	148	232	261	302
In high schools*	8,400	9,366	8,893	9,599	10,368	10,034
In primary schools	124,427	130,677	136,687	131,386	124,377	125,552
Percentage of male scholars in public institutions to male population of school-going age.	21·0	22·9	24·1	24·1	20·4	20·9
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	9	8	9	9	11	11
Number of primary schools ...	473	532	616	619	553	552
Female Scholars in Public Institutions.						
In arts colleges	2	5	7	12	17	22
In high schools	1,504	1,862	1,683	1,694	1,974	2,135
In primary schools	47,230	52,613	55,606	53,779	53,291	55,854
Percentage of female scholars in public institutions to female population of school-going age.	7·6	8·6	9·1	9·1	8·1	8·5
TOTAL SCHOLARS in public institutions. { Male ...	168,463	183,180	192,628	192,862	188,129	194,401
TOTAL SCHOLARS in public institutions. { Female...	58,665	66,220	70,358	70,106	71,032	75,909
TOTAL ...	227,128	249,400	262,986	262,968	259,161	270,310
TOTAL SCHOLARS (both male and female) in all institutions.	398,598	423,819	433,211	433,973	429,992	445,255
Expenditure (in thousands of rupees).						
From provincial revenues ...	16,10	18,79	17,45	17,03	16,71	18,98
From local funds	2,72	3,14	3,71	4,07	4,08	4,22
From municipal funds ...	3,27	3,31	3,35	3,40	3,48	3,68
Total Expenditure from public funds.	22,09	25,24	24,51	24,50	24,27	26,88
From fees	9,14	9,71	10,32	13,77	14,53	15,09
From other sources ...	3,64	4,37	4,48	4,44	4,83	5,40
GRAND TOTAL OF EXPENDITURE.	34,87	39,32	39,31	42,71	43,63	47,37

* Include also vernacular high schools.

STATEMENT OF EDUCATIONAL PROGRESS IN CENTRAL PROVINCES AND BEHAR.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	119,980	130,174	No change	No change	130,174	117,935
Population { Male ...	6,570,761	6,793,832			7,764,777	7,76[illegible]07
Population { Female ...	6,748,758	6,965,191			7,832,712	7,833,993
TOTAL POPULATION ...	13,319,519	13,759,023			15,597,489	15,600,000
Public Institutions for Males.						
Number of arts colleges. ...	3	3	3	3	3	4
Number of high schools ...	30	31	34	35	35	35
Number of primary schools ...	2,645	2,777	2,892	3,019	3,094	3,195
Male Scholars in Public Institutions.						
In arts colleges	274	381	457	479	514	608
In high schools	2,025	2,305	2,657	3,059	3,236	3,102
In primary schools ...	172,496	187,387	199,526	212,857	216,750	228,255
Percentage of male scholars in public institutions to male population of school-going age.	22·1	23·2	25·4	26·2	23·1	24·2
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	4	4	4	4	4	5
Number of primary schools ...	257	261	287	301	301	309
Female Scholars in Public Institutions.						
In arts colleges	...	...	...	...	...	...
In high schools	34	26	20	24	23	28
In primary schools ...	17,331	20,801	23,230	26,669	26,033	27,948
Percentage of female scholars in public institutions to female population of school-going age.	1·9	2·2	2·5	2·8	2·4	2·6
TOTAL SCHOLARS in public institutions. { Male	217,550	234,859	250,602	266,850	269,062	282,257
TOTAL SCHOLARS in public institutions. { Female	19,550	23,156	25,831	29,373	28,452	30,729
TOTAL ...	237,100	258,015	276,433	296,223	297,514	312,986
TOTAL SCHOLARS (both male and female) in all institutions.	237,439	258,308	276,700	296,305	297,620	313,205
Expenditure (in thousands of rupees).						
From provincial revenues ...	8,33	8,89	9,98	10,92	11,48	1[illegible]4
From local funds ...	7,88	9,19	11,74	10,65	11,05	12,08
From municipal funds ...	1,19	1,65	1,58	1,59	1,88	2,93
Total Expenditure from public funds.	17,40	19,73	23,30	23,16	24,41	25,65
From fees	1,59	1,65	1,79	1,95	2,29	2,84
From other sources ...	3,49	3,38	3,87	3,81	4,15	4,16
GRAND TOTAL OF EXPENDITURE.	22,48	24,76	28,96	28,92	30,85	32,65

STATEMENT OF EDUCATIONAL PROGRESS IN THE NORTH-WEST FRONTIER PROVINCE.

——	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	16,466	No change.	No change.	No change.	13,193	No change.
Population ... Male ...	1,159,306				1,182,102	
Population ... Female ...	966,174				1,014,831	
TOTAL POPULATION ...	2,125,480				2,196,933	
Public Institutions for males.						
Number of arts colleges ...	1	1	1	1	1	1
Number of high schools ...	12	12	12	12	12	12
Number of primary schools ...	217	256	254	267	264	260
Male Scholars in Public Institutions.						
In arts colleges	22	22	22	19	22	38
In high schools	3,492	3,562	3,617	4,255	4,486	5,146
In primary schools ...	9,928	11,271	11,415	12,069	13,034	14,129
Percentage of male scholars in public institutions to male population of school-going age.	9·0	10·0	10·1	11·2	11·8	13·1
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	...	...	...	...	...	...
Number of primary schools ...	19	24	23	25	27	28
Female Scholars in Public Institutions.						
In arts colleges	...	...	...	...	...	...
In high schools	...	...	...	...	...	...
In primary schools ...	1,044	1,337	1,301	1,576	1,775	1,925
Percentage of female scholars in public institutions to female population of school-going age.	0·8	1·1	1·1	1·3	1·4	1·5
TOTAL SCHOLARS in public institutions. Male ...	15,735	17,323	17,630	19,589	20,919	23,236
TOTAL SCHOLARS in public institutions. Female	1,226	1,548	1,605	1,873	2,093	2,247
TOTAL ...	16,961	18,871	19,235	21,462	23,012	25,483
TOTAL SCHOLARS (both male and female) in all institutions.	29,017	29,243	28,891	30,045	31,891	34,911
Expenditure (in thousands of rupees).						
From provincial revenues ...	*53	*58	*80	*58	†135	99
From local funds	64	95	83	91	92	1,42
From municipal funds ...	42	45	55	53	61	68
Total Expenditure from public funds.	1,59	1,98	2,18	2,02	2,88	3,09
From fees	40	40	40	45	47	56
From other sources ...	39	32	61	65	53	63
GRAND TOTAL OF EXPENDITURE.	2,38	2,70	3,19	3,12	3,88	4,28

*Imperial Revenues. †Including Rs. 58,215 from Imperial Revenues.

STATEMENT OF EDUCATIONAL PROGRESS IN COORG.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	1,582	No change.	No change.	No change.	No change.	1,582
Population — Male ...	100,258					97,279
Population — Female ...	80,349					77,697
TOTAL POPULATION ...	180,607					174,976
Public Institutions for Males.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	1	1	1	1	1	1
Number of primary schools	82	81	82	82	81	80
Male Scholars in Public Institutions.						
In arts colleges	...	...	...	...	...	...
In high schools	294	298	288	240	226	206
In primary schools ...	2,852	2,929	3,427	3,688	3,721	3,970
Percentage of male scholars in public institutions to male population of school-going age.	21·9	22·5	25·7	27·2	27·2	29·7
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	...	...	...	...	...	...
Number of primary schools ...	5	5	5	5	6	6
Female Scholars in Public Institutions.						
In arts colleges	...	...	...	...	...	...
In high schools	7	8	8	2	2	1
In primary schools ...	1,045	1,143	1,421	1,588	1,721	1,773
Percentage of female scholars in public institutions to female population of school-going age.	8·8	9·6	12·0	13·6	15·0	16·0
TOTAL SCHOLARS in public institutions. — Male ...	3,292	3,380	3,869	4,087	4,099	4,342
TOTAL SCHOLARS in public institutions. — Female	1,063	1,163	1,447	1,644	1,811	1,861
TOTAL ...	4,355	4,543	5,316	5,731	5,910	6,203
TOTAL SCHOLARS (both male and female) in all institutions.	4,865	5,004	5,792	6,335	6,640	6,811
Expenditure (in thousands of rupees.)						
From provincial revenues ...	22	24	26	30	61	39
From local funds ...	11	11	11	12	12	13
From municipal funds ...	1	1	1	1	1	2
Total Expenditure from public funds.	34	36	38	43	74	54
From fees	12	12	12	12	12	13
From other sources ...	3	3	3	5	6	6
GRAND TOTAL OF EXPENDITURE.	49	51	53	60	92	73

H. SHARP,

Joint Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 7th March 1913.

LONDON GAZETTE.

No. 205.—The following extracts are published for general information :—

"London Gazette," dated the 11*th February* 1913, *pages* 1060, 1061 *and* 1062.

* * * * * * * *

India office,
February 11, 1913.

The KING has approved of the promotion of the following officers of the Indian Army, Indian Medical Service, Indian Subordinate Medical Department and Indian Army Departments :—

* * * * * *

INDIAN SUBORDINATE MEDICAL DEPARTMENT.

* * * * * *

To be Senior Assistant Surgeons with the Honorary rank of Lieutenant.

Dated 7th December 1912.

1st Class Assistant Surgeon James Francis Fleming.

* * * * * *

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

1*st Punjab Volunteer Rifles.*

No.—223.—Captain John Francis Connolly, Supernumerary List, resigns his commission. Dated the 23rd January 1913.

Raymond Grant Govan to be Second Lieutenant, to fill an existing vacancy. Dated the 1st February 1913.

W. R. BIRDWOOD, MAJOR-GENERAL,
Secretary to the Government of India.

Punjab Government Press, Lahore—14-3-13—3169—850.

[illegible]

[illegible] the 7th [illegible] 1916.

LONDON GAZETTE.

[illegible] "London Gazette," dated the [illegible] February 1916, page [illegible].

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[illegible]

February [illegible], 1916.

The KING has approved of the [illegible] of the [illegible] Indian Army [illegible] Indian [illegible] Indian Army Department:—

* * * * * * *

INDIAN SUBORDINATE MEDICAL DEPARTMENT.

* * * * * * *

To be Senior Assistant Surgeons with the honorary rank of Lieutenant.

Dated 7th December 1912.

1st Class Assistant Surgeon James Francis [illegible].

* * * * * * *

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

1st [illegible] Volunteer Rifles.

No. [illegible].—Captain John Francis [illegible]. Dated the [illegible] 1916.

[illegible] to be Second Lieutenant, to fill an existing vacancy. Dated 7th February 1916.

W. R. BIRDWOOD, Major-General,
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MARCH 21, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MARCH 15, 1913.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Delhi, the 13th March, 1913.

No. 27.—The Governor General is pleased to accept the resignation by the Honourable Mr. Arthur Meredith of his office of Additional Member of the Governor-General's Legislative Council.

No. 28.—In exercise of the power conferred by section 10 of the Indian Councils Act, 1861 (24 and 25 Vic., c. 67), as modified by the Indian Councils Act, 1909 (9 Edw. 7, c. 4), and in pursuance of the provisions of Regulation XI (2) of the Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor General of India, published under Notification No. 61, dated the 14th November 1912, the Governor General is pleased to nominate the Honourable Mr. Michael William Fenton, C.S.I., being an official, to be an Additional Member of the said Council, *vice* Mr. Meredith, resigned.

W. H. VINCENT,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.

Delhi, the 11th March 1913.

No. 1671-*C.*—In pursuance of the notification of the Governor General in Council, No. 1008, dated the 1st October 1912, issued in accordance with the provisions of section 3 of the Delhi Laws Act, 1912 (XIII of 1912), and in exercise of the powers conferred by section 12 of the Indian Press Act, 1910 (I of 1910), the Governor General in Council is pleased to declare the leaflet entitled "Yugantar Circular. The Delhi Bomb" and subscribed

"Bande Mataram" to be forfeited to His Majesty, on the ground that the said leaflet contains words which are likely to excite disaffection towards His Majesty or the Government established by law in British India.

PUBLIC.

The 13th March 1913.

No. 1736-*C.*—It is hereby notified for general information that the Actuary to the Government of India will take rank in article 73 of the Warrant of Precedence for India, published with the Home Department Notification No. 328, dated the 10th February 1899.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

GENERAL.

Delhi, the 14th March 1913.

No. 66-*C. D.*—The services of Khan Fazl Muhammad Khan, Curator, Bureau of Education, are replaced at the disposal of the Government of the Punjab.

H. SHARP,

Joint Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATIONS.

Delhi, the 11th March 1913.

No. 189-*C.*—In exercise of the power conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India of any copy of the leaflet entitled "Yugantar Circular. The Delhi Bomb" and subscribed "Bande Mataram."

EXCISE.

The 15th March 1913.

No. 1868-25.—In exercise of the powers conferred by section 6 of the Opium Act, 1878 (I of 1878), and in supersession of the Notification of the Government of India in the Finance Department, No. 1427-F. E., dated the 6th March 1911, the Governor-General in Council is pleased to direct that duty at the rate of Rs. 10 per seer shall be levied, with effect from the 1st April 1913, upon all opium imported into the province of Delhi:

Provided that the said duty shall not be leviable in respect of—

(*a*) poppy-heads; or

(*b*) opium produced in the Hill States of the Punjab; or

(*c*) opium on which duty has already been paid in the North-West Frontier Province or the Punjab.

POST OFFICE.

The 15th March 1913.

No. 1841-27.—In exercise of the powers conferred by section 33 of the Indian Post Office Act, 1898 (VI of 1898), the Governor-General in Council is pleased to direct that the following amendment shall be made in rule 54 of the rules published with the Notification of

the Government of India in the Department of Commerce and Industry, No. 7397-225, dated the 5th August 1908, as subsequently amended :—

To the second proviso to rule 54 the following clause shall be added, namely :—

"(j) where the contents of the insured postal article were gold coins or gold bullion of a value exceeding Rs. 300."

R. E. ENTHOVEN,

Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 14th March 1913.

APPOINTMENTS.

MEDICAL DEPARTMENT.

No. 226.—Captain M. A. Nicholson, M.B., Indian Medical Service, to be Medical Officer, Lawrence Military Asylum, Sanawar, *vice* Captain N. S. Simpson, Indian Medica Service, vacated; with effect from the 13th February 1913.

PENSIONS.

WARRANT OFFICERS.

No. 240.—The undermentioned warrant officer has been transferred to the pension establishment, with effect from the 17th October 1912 :—

1st Class Assistant Surgeon George Edward Shaw, Indian Subordinate Medical Department, Assistant Surgeon Branch.

W. R. BIRDWOOD, *Major-General,*

Secretary to the Government of India.

CHIEF COMMISSIONER, DELHI.

NOTIFICATION.

Delhi, the 10th March 1913.

No. 2014-*Home.*—Mr. G. F. deMontmorency, I.C.S., Personal Assistant to the Chief Commissioner of Delhi, is granted three months' privilege leave of absence with effect from the 4th April 1913 or the subsequent date on which he may avail himself of it.

By order,

G. F. DEMONTMORENCY,

Personal Assistant to the Chief Commissioner.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED MARCH 15, 1913.

No. 1654-1678—2.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

COMMERCIAL EXHIBITIONS.

Delhi, the 10th March 1913.

RESOLUTION.

EXHIBITION TO BE HELD AT SEMARANG, JAVA.

THE following papers relative to the General Exhibition to be held at Semarang, Java, in September 1914 are published for general information :—

REGULATIONS.

OPENING AND DURATION OF THE EXHIBITION.

The Exhibition will be opened in September 1914 and will not be closed till November of the same year.

REQUESTS FOR SPACE FOR EXHIBITS.

These must be sent in by March 1914 at latest, either to the Secretary of the Exhibition or to the N. V. Nederlandsch-Indisch Publiciteits Bureau at Sourabaya or its office at N. Z. Voorburgwal 254 Amsterdam.

REQUESTS FOR STANCES FOR AMUSEMENTS, RESTAURANTS, ETC.

These must be sent in by 1st September 1914 at latest, to the Secretary of the Exhibition at Semarang.

All letters or communications in connection with the Exhibition must be addressed to the Secretary who is at all times prepared to furnish full particulars.

Telegraphic Address: Exposition Semarang.

Codes in use: A. B. C. 5th Ed.

Mercuur 3rd Ed.

Application forms for space are to be had from the Secretary of the Exhibition, at Semarang.

CONDITIONS FOR THE RENTING OF SPACE FOR EXHIBITS.

1. The space allowed to exhibitors and holders of stances for amusements, restaurants, etc., must remain occupied by exhibitors and open to visitors during the appointed hours for the whole of the time the Exhibition is open.

2. The exhibits are not to be withdrawn until the closing of the Exhibition and with the approval of the Association and the Customs Authorities, with the exception of such goods as are destined for sale and marked as such. The Association holds exhibitors and holders of stances for amusements, restaurants, etc., responsible for all damage which may arise by their not adhering to the regulations. The Association further retains the right of immediately closing those stances, restaurants, etc., where, in its opinion order is not maintained or where the instructions given for the public safety and the good management of affairs are not properly adhered to.

3. Holders of public stances for amusements, etc., who charge entry money are subject to the municipal tax ordinance and must submit to the relative municipal regulations.

4. The minimum charges are:—

f 20—per square metre for floor space in a building.

" 10— " " " space outside.

When fixing the actual charges special cases are taken into consideration.

5. Absolute or partial exemption from payment of charges for space and erection may be granted by the Committee for exhibits or parts of exhibits which are entirely of a scientific nature or which are offered for the ornamentation of the exhibition.

6. The Director General arranges for the division into classes and groups and allots the space, he retains the right of allowing only part of the space applied for. The Director General has the power to decline exhibits or part thereof without having to state his reasons for so doing.

7. The exhibits mentioned below under "Exhibits B" must be marked:—

K T

1914

Semarang

bearing distinctly the name, and the address of the sender, the gross and nett weight in kilograms and running numbers.

The number, contents, and the value of each package must be duly advised to the Committee.

8. The Director General will issue passes to exhibitors or their European employees in charge of the sale of exhibits, at *f* 10—per person and *f* 5—per person for native employees. Those in charge of or employed in connection with public amusements must be provided with a pass costing *f* 2·50. These passes are valid for the whole duration of the Exhibition.

9. The rent for the space allotted must be paid before occupation. The entry money for the persons mentioned in sub 8, must be paid at the office of the Association 8 days before the opening of the Exhibition, failing which those persons will be granted admission on the same terms as common visitors.

10. The exhibitors staff while on duty at the Exhibition must bear a visible mark which can be procured from the Association. The exhibitors are responsible for the actions of their employees. The Committee will provide exhibitors with driving power at rates to be fixed later.

EXHIBITS.

Goods from oversea countries are distinguished as follows :—

A. Goods which must be received, imported and transported to the Exhibition grounds by the exhibitors or their agents.

B. Goods which are sent to the address of the Association, are cleared in by the Committee. These exhibits must be forwarded free of charges Semarang Roads and marked :—

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1914

Semarang.

Landing and other charges will be paid by the Committee for account of the exhibitors, but must be refunded before the opening of the Exhibition.

Goods referred to above under A and B are to be cleared in subject to the conditions stipulated in the following regulation of the Director of Finance.

Batavia, 22nd March 1913.

The Director of Finance has decided :

To declare, article 23 of the Ordinance of 10th October 1882 (Official Gazette No. 240) as it reads in the Ordinance of 6th September 1902 (Official Gazette No. 337) and 19th March 1909 (Official Gazette No. 205), applicable to goods from outside the Customs and Excise jurisdiction and destined for the Exhibition at Semarang under the following conditions :—

(1) That the Senior Customs House official is satisfied that the goods are destined for the above-mentioned purpose.

(2) That the goods are declared before importation in accordance with articles 27-31 inclusive of the Customs Regulation A of the Ordinance of 1st October 1882 (Official Gazette No. 240).

(3) That the declarant holds himself responsible for the payment of the eventual import duty.

(4) That the Collector of Customs and Excise at Semarang is empowered to demand a personal guarantee.

(5) That within one month after the official closing of the Exhibition satisfactory proof be delivered to the Custom House official in charge that above-mentioned goods have been exported beyond the jurisdiction of the Customs and Excise after having served for the Exhibition only.

(6) That the responsibility referred to in sub 3 ceases and that the guarantee mentioned in sub 4, if given, lapses immediately the condition stipulated in the preceding paragraph has been complied with.

(7) That, in the event of non-compliance with the regulation in sub 5, the declarant must pay the import duty at the office according to the calculation of the Collector of Customs and Excise at Semarang as soon as the term of one* month has elapsed.

The Association undertakes to receive and clear in goods on the following conditions :—

(a) A complete list of each package and a price list of the sundry articles should be sent with the bills of lading.

* According to law, article 23 last paragraph, this limit may be extended.

(*b*) The packages, after being cleared in, will not be unpacked except in the presence of those persons appointed by the Association for this work. These persons make a list of the unpacked articles and this list serves between the exhibitor and the Association as the absolute proof of the contents of the packages.

(*c*) If among the goods mentioned in sub B there are goods, which the exhibitor has declared to be specially destined for sale and thus may be taken away from the Exhibition at any time, the exhibitor is obliged either to pay the import duty when clearing in the goods or deposit a sufficient sum for that purpose with the Association, failing which those goods are to be taken as goods sent in for exhibition.

The Association will in no case advance cash for the payment of import duty.

There are special tariffs for native restaurants, stances for amusements, etc.

REDUCTION ON FREIGHTS.

50 per cent. reduction on freight to and from the Exhibition will be granted by:—

(1) Probolinggo Steam Tramway Company.

(2) Pasoeroean Steam Tramway Company.

(3) Deli Railway Company.

(4) Madura Steam Tramway Company.

(5) Semarang Cheribon Steam Tramway Company.

50 per cent. reduction on freight to the Exhibition and 25 per cent. on freight from the Exhibition will be granted by the Royal Packet Company:

Exhibits will be returned, free of charge, by:—

Government Railway (along its lines).

Babat Djombang Steam Tramway Company.

Modjokerto Steam Tramway Company.

Semarang Joana Steam Tramway Company.

Netherlands Indian Railway Company (if the goods have arrived here for the whole or part *viâ* its lines).

No decision has been received from:—

Government Railway in Sumatra.

Batavia Freight Conference.

WATCHING, DECORATION, ILLUMINATION, MUSIC, ETC.

The watching, decoration and illumination of the grounds and buildings are for account of the Committee, which will also provide for the music. It also attends to the public amusements, for which no special entry money is charged.

Extra watching, decoration, illumination and music are for account of the interested parties and are subject to the approval and supervision of the Committee. The Association is not responsible for any damage or loss even if caused by fire, burglary, theft, insufficient vigilance, rough or wrong handling.

AWARDS.

These are granted by a Committee, the members of which will be appointed later. The Chairman is Mr. A. H Klein, President of the Court of Justice at Semarang. Separate awards are offered for each division, while the numbers of diplomas and medals will be fixed later.

ERECTION OF BUILDINGS.

Buildings, which exhibitors themselves wish to erect, must be completed at the latest, one month before the opening of the Exhibition. Buildings may not be commenced before

the sketch plans have been approved of by the Committee and the ground-rents have been settled. The buildings must be removed and the ground cleaned immediately after the closing of the Exhibition.

Prospectus of the Exhibition.

1st SECTION.

COLONIAL GOVERNMENT

The intention is to give a general idea of the progress and development of the Colonial Government since its re-establishment in 1816. The provisional division of the groups is as follows :—

GROUP I.—Organisation of Government.
,, II.—Education.
,, III.—Agriculture and cattle-breeding.
,, IV.—Irrigation.
,, V.—Postal and Telegraphic Services.
,, VI.—Government credit system.

2ND SECTION.

AGRICULTURE AND HORTICULTURE.

GROUP I.—Sugar.

Sub-division A. Cultivated under European management.

Class 1. Cultivation of the cane (preparation of the ground, planting, harvesting, etc.).
,, 2. Methods of manuring.
,, 3. (a) Diseases, etc., and the prevention thereof.
(b) Selection of cane.
,, 4. Products and by-products.
,, 5. Implements, apparatus and tools used in the manufacture.

Sub-division B. Cultivated by Natives.

Class 1. Cultivation of the cane (preparation of the ground, planting, harvesting, etc.).
,, 2. Methods of manuring.
,, 3. (a) Diseases, etc., and the prevention thereof.
(b) Selection of cane.
,, 4. Products and by-products.
,, 5. Implements, apparatus and tools used in the manufacture.

GROUP II.—Coffee.

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).
,, 2. Methods of manuring.
,, 3. (a) Diseases, etc., and the prevention thereof.
(b) Selection.
,, 4. Products and by-products.
,, 5. Implements, apparatus and tools used in the manufacture.

GROUP III.—Tea.

Sub-division A. Cultivated under European management.

Class 1. Cultivation (preparation of the ground, planting and harvesting, etc.).
,, 2. Methods of manuring.
,, 3. (a) Diseases, etc., and the prevention thereof.
(b) Selection.
,, 4. Products and by-products.
,, 5. Implements, apparatus and tools used in the manufacture.

Sub-division B. Cultivated by Natives.

Class 1. Cultivation (preparation of the ground, planting and harvesting).
" 2. Methods of manuring.
" 3. (*a*) Diseases, etc., and the prevention thereof.
(*b*) Selection.

GROUP IV.—Rice.

Sub-division A. Cultivated under European management.

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).
" 2. Methods of manuring.
" 3. (*a*) Diseases, etc., and the prevention thereof.
(*b*) Selection.
" 4. Products.
" 5. Implements, apparatus and tools used in the manufacture.

Sub-division B. Cultivated by Natives.

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).
" 2. Methods of manuring.
" 3. (*a*) Diseases, and prevention thereof.
(*b*) Selection.
" 4. Products.
" 5. Implements, apparatus and tools used in the manufacture.

GROUP V.—Cinchona.

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).
" 2. Methods of manuring.
" 3. (*a*) Diseases, etc., and the prevention thereof.
(*b*) Selection.
" 4. (*b*) Products.
" 5. Implements, apparatus and tools used in the manufacture.

GROUP VI.—Tobacco.

Sub-division A. Cultivated under European management.

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).
" 2. Methods of manuring.
" 3. (*a*) Diseases, etc., and the prevention thereof.
(*b*) Selection.
" 4. Products.

Sub-division B. Cultivated by Natives.

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).
" 2. Methods of manuring.
" 3. (*a*) Diseases, etc., and the prevention thereof.
(*b*) Selection.
" 4. Products.
" 5. Implements, apparatus and tools used in the manufacture.

GROUP VII.—Gutta percha and Caoutchouc (produced on estates).

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).
" 2. Methods of manuring.
" 3. (*a*) Diseases and the prevention thereof.
(*b*) Selection.
" 4. Products and by-products.
" 5. Implements, apparatus and tools used in the manufacture.

GROUP VIII.—Cocoa.

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).

„ 2. Methods of manuring.

„ 3. (a) Diseases, etc., and the prevention thereof.

(b) Selection.

„ 4. Products and by-products.

„ 5. Implements, apparatus and tools used in the manufacture.

GROUP IX.—Spices (produced on estates).

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).

„ 2. Methods of manuring.

„ 3. (a) Diseases, etc., and the prevention thereof.

(b) Selection.

„ 4. Products and by-products.

„ 5. Implements, apparatus and tools used in the manufacture.

GROUP X.—Fibres, cotton, etc.

Sub-division A (produced on estates).

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).

„ 2. Methods of manuring.

„ 3. (a) Diseases, etc., and the prevention thereof.

(b) Selection.

Class 4. Products and by-products.

„ 5. Implements, apparatus and tools used in the manufacture.

Sub-division B (produced as by-products on estates).

Class 1. Products for the trade.

„ 2. Implements, apparatus and tools used in the manufacture.

GROUP XI.—Dyeing and Tanning materials.

Sub-division A (produced on estates).

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).

„ 2. Methods of manuring,

3. (a) Diseases, etc., and the prevention thereof.

(b) Selection.

„ 4. Products for the trade.

„ 5. Implements, apparatus and tools used in the manufacture.

Sub-division B (produced otherwise than on estates).

Class 1. Products for the trade.

„ 2. Implements, apparatus and tools used in the manufacture.

GROUP XII.—Vegetable fats and oils including ethereal oils.

Sub-division A. (produce on estates).

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).

„ 2. Methods of manuring.

„ 3. (a) Diseases and the prevention thereof.

(b) Selection.

„ 5. Implements, apparatus and tools used in the manufacture.

Sub-division B (produced otherwise than on estates).

Class 1. Products for the trade.

„ 2. Implements, apparatus and tools used in the manufacture.

GROUP XIII.—Catch Crops (groundnuts, maize, tapioca, sago, etc.).

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).

" 2. Methods of manuring.

" 3. (a) Diseases, etc., and the prevention thereof.

(b) Selection.

" 4. Products for the trade.

" 5. Implements, apparatus and tools used in the manufacture

GROUP XIV.—Horticulture.

A. Vegetables and vegetable seeds.

B. Flowers and ornamental plants.

C. Fruits.

D. Sundries.

For the following four classes :—

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).

" 2. Methods of manuring.

" 3. (a) Diseases, etc., and the prevention thereof.

(b) Selection.

" 4. Produce.

" 5. Implements, apparatus and tools used in cultivation.

GROUP XV.—Medicinal Herbs.

A. Produced on estates.

Class 1. Cultivation (preparation of the ground, planting, harvesting, etc.).

" 2. Methods of manuring.

" 3. (a) Diseases, etc., and the prevention thereof.

(b) Selection.

" 4. Produce.

" 5. Implements, apparatus and tools used in the cultivation.

B. Produced otherwise than on estates.

Class 1. Description, representation, planting, preparation, purpose and methods of applying.

" 2. Products for trade.

" 3. Implements, apparatus and tools used in the manufacture.

GROUP XVI.—Fertilizers.

A. Organic manures including the so-called green manuring.

B. Inorganic manures.

GROUP XVII.—Kinds of ground.

Samples of soils with analysis and other particulars regarding the cultures practised thereon.

Information for the preparation and manuring of the grounds for sundry cultures.

3RD SECTION.

INDUSTRIES OF NETHERLANDS INDIA, MINING, FORESTRY, HUNTING, AND FISHERY.

Consisting of 5 groups.

GROUP I.—Industries of Netherlands India.

A. Manufacturing Industries.

Mechanical metal working, wood working, manufacture of Portland cement, lime, soap, oils, ropes, spirits, bread, biscuits, ice, ærated waters, tiles, earthenware, manures and salt manufacture and packing, etc.

Class 1. Products of manufacturing industries of Netherlands India not pertaining to agriculture.

„ 2. Implements, apparatus and tools manufactured in Netherlands India for use in the manufacturing industries in Netherlands India.

„ 3. Implements, apparatus and tools (also of foreign origin and manufacture) drawings, photos, models, etc., serving to demonstrate the manufacturing industries of Netherlands India.

B. Handwork (including domestic industries).

Smiths' work, metal foundry, tinsmiths' work, copper work, cartwrights' work, shipscarpentry, cooperage, carpentry, manufacture of tiles and earthenware, stone cutting, masonry and Stucco rope maker's work, basket and plaiting work, saddlery, shoemaking, tanning, bookprinting, bookbinding, upholstery, cigar manufacture, tailoring, spinning, weaving, battick work, dying work, preserving of provisions, confectionery, painting, lacquering, etc.

Class 1. Products of native hand industry (produced by natives under native supervision).

„ 2. Products of Netherlands Indian hand industry, produced by natives and others, but not under native supervision.

„ 3. Implements, apparatus and tools used in the hand industries of Netherlands India.

„ 4. Demonstration of the hand industries of Netherlands India.

C. Industrial Arts.

Gold and silver smiths' work, manufacture of weapons, sculpture, carving, modelling, engraving, lithography, drawing, amateur and professional photography, turning (ivory, horn, wood, metals, etc.), manufacture of artificial flowers, etc., embroidery, female hand work, watch-making, manufacture of musical instruments, artistic leather work, artistic battick.

Class 1. Products of native industrial arts (produced by natives under native supervision).

„ 2. Products of industrial arts in Netherlands India (produced by natives and others, but not under native supervision).

„ 3. Implements, apparatus and tools used in the industrial arts of Netherlands India.

„ 4. Demonstration of the industrial arts of Netherlands India.

GROUP II.—Mining in Netherlands India.

A. Coals (pit coals, brown coals, etc.)

Class 1. Products of mines.

„ 2. Maps, photos, drawings, models, etc., pertaining to coal mining.

„ 3. Implements, apparatus, tools and models relating to coal mining.

B. Petroleum.

(Petroleum and other combustibles by-products of the petroleum industry).

Class 1. Raw materials.

„ 2. Products of the petroleum industry (including combustibles and the by-products).

„ 3. Maps, photos, drawings, models, etc., relating to the petroleum industry.

„ 4. Implements, apparatus, tools and models of same used in petroleum industry.

C. Metals.

(Gold, silver, tin, wolfram, copper, platina, lead, etc)

Class 1. Raw materials, from which metals are produced, ores.

„ 2. Products of mining for metals.

„ 3. Maps, photos, models, etc., relating to the mining industry.

„ 4. Implements, apparatus, tools and models relating to the mining industry.

D. Stones and Minerals.

(Marble, sandstone, granite, trachyte, precious stones, cement, rock salt.)

Class 1. Raw stones and minerals.

„ 2. Products of the exploitation of quarries and of mining for precious stones.

„ 3. Maps, photos, models, etc., relating to the exploitation of mining for precious stones.

„ 4. Implements, apparatus, tools and models of same used in the working of quarries.

„ 5. Fossils and petrifaction.

E. Other products of mining.

Class 1. Raw materials.

„ 2. Products.

„ 3. Maps, photos, drawings, models, etc., regarding mining.

4. Implements, apparatus, tools and models of same, used in mining.

GROUP III.—Forestry in Netherlands India and its products.

A. Timber.

Class 1. Management of Government forests.

„ 2. State timber industries :

(a) Species of wood.

(b) Maps, photos, reports, statistics, models, etc., regarding the State timber industry :

„ 3. Private timber industry :

(a) Species of wood.

(b) Maps, photos, reports, statistics, models, etc., regarding the private timber industry.

„ 4. Implements, apparatus, tools and models of same used in the industry.

B. Bamboo and rattan.

C. Other forest produce (resins, gums, gutta percha, caoutchouc, vegetable saps, camphor, etc.)

GROUP IV.—Hunting and Fishery in Netherlands India.

A. Hunting.

Class 1. Implements, apparatus and other weapons of Netherlands India orign, photos, etc., relating to hunting.

„ 2. Implements, apparatus and other weapons of foreign origin relating to hunting.

„ 3. Products of hunting used in the industries of Netherlands India. Hides, horns, antlers, bird skins for ornamental purposes. Peacock and other feathers, Egrettes of Herons.

„ 4. Collection of butterflies, beetles and stuffed animals.

B. Fishery.

Class 1. Models of fishing boats.
" 2. Implements, apparatus and other weapons of Netherlands origin used in the fishing industry.
" 3. Implements, apparatus and other weapons of foreign origin used in the fishing industry.
" 4. Products of fishery in Netherlands India used in the industries of Netherlands India.
Fishbones, shark skins, rav tails, fish scales for ornamental purposes), shells, pearls, mother of pearl, corals, sponges, etc.
" 5. Aquariums.

GROUP V.—Ethnography in connection with the industries of Netherlands India.

Collection of types of dwelling-houses and group of houses of various races in the Indian Archipelago, occupied by men, women and children, working at their respective trades (handwork or domestic industry). If possible Ethnographical subjects not, included in Group IV, will be exhibited.

4TH SECTION.

FOREIGN INDUSTRIES.

consisting of 5 groups.

GROUP I.—Appliances for supplying driving power.

Class 1. Boilers, steam engines and steam turbines.
" 2. Combustion and explosion motors.
" 3. Hydraulic motors.
" 4. Electric motors.

GROUP II.—Machinery and appliances for agricultural and forestry purposes or models or drawings thereof.

Class 1. Machinery, etc., for the cultivation and preparation of rice.
" 2. Machinery, etc., for the cultivation and preparation of sugarcane an manufacture of sugar.

Class 3. Machinery, etc., for the cultivation and preparation of tea.
" 4. " " " " " " " coffee.
" 5. " " " " " the manufacture of cinchona and quinine.
" 6. " " " " " preparation of fibres.
" 7. " " " " " " " tapioca.
" 8. " " " " " " " rubber.
" 9. " " " " " " " tobacco.
" 10. " " used for the cultivation of oil and fat producing vegetables and for the extraction of the oils and fats.
" 11. " used in the preparation of artificial manures.
" 12. " " " forestry and timber industries.
" 13. " " " cultivation and preparation of agricultural produce not mentioned above.

GROUP III.—Machinery, appliances, etc., for industrial purposes or models or drawings thereof.

A. Factories and manufactures.

Class 1. Machinery, etc., used in metal working.
" 2. " " " in wood working.
" 3. " " " in the textile trades.
" 4. " " " in the tile and earthenware industries.
" 5. " " " " manufacture of paper.
" 6. " " " in leather industries.
" 7. " " " " manufacture of cement and concrete.
" 8. " " " " " " cigars and cigarettes.
" 9 " " " " " " matches.
" 10. " " " " " " soap.
" 11. " " " " " " mineral waters.
" 12. " " " " " " dairy produce.
" 13. " " " " " " ice.
" 14. " " " " printing trade.
" 15. " " " " manufacture and preparation of articles not mentioned above.

B. Mining industry.

Class 1. Machinery, etc., used in the winning of metals, ores and minerals.

" 2. " " " in coal mining.

" 3. " " " in boring for petroleum.

GROUP IV.—Machinery, appliances, etc., for general purposes or models or drawing thereof.

Class 1. Machinery, etc., used for general purposes such as harbour works, irrigation and fire brigades.

" 2. Machinery, etc , used for sanitary purposes such as sewerage, water-supply and removal of night-soil.

" 3. Machinery, etc., used in the postal, telegraph and telephone services.

" 4. " " " for lighting purposes.

GROUP V.—Machinery, appliances, etc , for household purposes, or models or drawings thereof.

Class 1. Lighting installations.

" 2. Heating and cooling installations

" 3. Sanitary installations.

" 4. Appliances for household purposes not mentioned in classes 1, 2 and 3.

5TH SECTION.

COMMERCE.

Consisting of 2 groups.

GROUP I.—Export.

A. Samples of A gricultural and Horticultural produce will be exhibited in section II.

Class 1. Sugar (molascuit and molastella).

" 2. Coffee.

" 3. Tea.

" 4. Rice.

" 5. Cinchona bark and quinine.

" 6. Tobacco.

" 7. Gutta parcha and caoutchouc.

" 8. Cocoa.

" 9. Spices (mace, cinnamon, chillies, nutmegs, pepper and pinang nuts).

" 10. Fibres (kapok, kapok seeds, cotton and other fibres).

" 11. Dyeing and tanning materials (indigo and indigo seeds, etc).

" 12. Vegetable oils fats (copra, castor-oil, cocoa-nut oil).

" 13. Catch crops and sagos (ground nuts, castor seeds, maize, tapioca flour, sago).

" 14. Garden and orchard produce.

" 15. Products of medicinal plants (cocoa, cassia fistula, cassia vera and akar wangie).

B. Samples of products to be exhibited in the 3rd Section.

Class 1. Products of Netherlands Indian industry (arak).

" 2. " " " " mining.

" 3. Forest produce, etc., rattans, gums, resins, camphor, bamboo hats.

" 4. Horns, hides' skins and birds nests.

GROUP II.—Import.

A. Manufactures.

Class 1. Cottons, unbleached, bleached, dyed, printed, etc.

Class 2. Woollens, half woollens, silks and velvets.
" 3. Embroidery and lace.
" 4. Woven and knitted articles of clothing.
" 5. Yarns of all kinds.

B. Provisions and drinkables.

Class 1. Preserves (vegetables, meats, fish, jams, fruits, confectionery).
" 2. Biscuits, cakes, etc.
" 3. Flour.
" 4. Milk and dairy produce.
" 5. Cigars, cigarettes and tobacco.
" 6. Mineral waters (natural and manufactured, lemonades, syrups, etc.).
" 7. Beer.
" 8. Gin, whisky, brandy and liquors.

C. Mercery.

Class 1. Perfumes, soaps and toilet articles.
" 2. Porcelain, glass and earthenware.
3. Leather, leatherwork, trunks, portmanteaux, belts, harness and carriage accessories.
" 4. Sewing machines
" 5. Paper of all descriptions, writing and drawing accessories, books, engraving, printing, etc.
" 6. Watches, clocks and jewellery.
" 7. Boots and shoes.
" 8. Hats, parasols, artificial flowers, etc.
" 9. Bric-a-brac toys, etc.

D. Building materials.

Class 1. Iron, brass, wire nails, etc.
" 2. Cement, tiles, etc.
" 3. Glass.
" 4. Paints, etc.

E. Sundries.

Class 1. Chemists and druggist fittings.
" 2. Wall-papers and Tapestry.
" 3. Billiard tables.
" 4. Photographic requirements.
" 5. Household decorations.
" 6. Mathematical, optical and surgical instruments.
" 7. Dyes other than those included in group D, class 4.
" 8. Lamps.
" 9. Matches.
" 10. Furniture.
" 11. Musical instruments.
" 12. Carpets.
" 13. Packing materials (gunny bags, etc.).
" 14. Wax and ceresine,

6TH SECTION.
TRAFFIC.
Consisting of 3 groups.

GROUP I.—Traffic on land.

A. Road traffic.

Class 1. Ways and bridges—
(a) Maps, plans, models and photographs.
(b) Materials for road making and the surface of bridges.
(c) Machinery and appliances for the making and maintenance of roads.
" 2. Conveyances—
(a) Vehicles drawn by animals, carts and harness (also models).
Passenger vehicles and harness (also models) cycles.
(b) Vehicles propelled by mechanical power.
Automobiles for the conveyance of goods.
" " " passengers.
Motor cycles.
Vehicles not running on rails, but driven by overhead electric current.

B. Traffic on rails.

Class 1. Railways and Tramways—

(a) Maps, plans, models and photographs of tracks, bridges, stations and goods stations.
(b) Material.
(c) Rolling stock (also models, photos and drawings).
(d) Loading and unloading appliances (also models).

" 2. Portable railway material.

(a) Maps, plans of tracks, bridges, loading and unloading places.
(b) Material.
(c) Rolling stock.

" 3. Monorails for conveyance of goods.

(a) Maps, plans, models and photos of tracks, bridges, loading and unloading places.
(b) Material.
(c) Rolling stock.

C. Traffic on cable ways—

(a) Maps, plans, models and photos cable ways, loading and unloading places.
(b) Material.
(c) Rolling stock.

D. Statistics relating to traffic on land.

GROUP II.—Traffic on water.

A. Harbour, canals, canalization of rivers, weirs and sluices [maps, plans, models and photos of foregoing loading and discharging appliances on shore (also models and photos)].

B. Vessels.

Class 1. Rowing and sailing boats.

(a) Native rowing and sailing boats (also models).
(b) Rowing and sailing boats other than Native (also models).

" 2. Vessels mechanically propelled.

(a) Motor boats, steam launches (also models).
(b) Models of steamers.
(c) Loading and discharging appliances aboard (also models and photos).

C. Instruments for navigation.

D. Statistics relating to traffic by water.

GROUP III.—Aviation.

A. Balloons.

Class 1. Non-dirigible balloons (also models and photos).

" 2. Models of dirigible air ships.

B. Flying machines (also models and photos).

C. Aeronautic instruments.

D. Statistics relating to aviation.

NUMBER

NAME OF THE EXHIBITOR

ADDRESS

COLONIAL EXHIBITION, SEMARANG, SEPTEMBER 1914.

APPLICATION FOR SPACE.

SECTION

GROUP

CLASS

Description of the goods to be exhibited	Floor space.		Wall space.		The Exhibitors of machinery must state the required quantities of					
	Length.	Breadth.	Length.	Height.	Gas, M³ per hour.	Water M³ per hour.	Steam, Kilos per hour.	Driving Power H.P.	Electricity, Hectowatts.	

Exhibitors should attach to the application a plan showing measurements, a drawing of the machine mounted and in working order, including plan of the foundations, etc.

Should the apparatus require steam or water the proper positions of the inlets and outlets must be indicated.

The charges of steam, water-gas and electricity supply will be arranged with Exhibitors later.

Customs declaration receiving, placing in position repacking and returning { will be attended to by me./us. are left to your care.

The goods are { intended for sale. not intended for sale. partially intended for sale.

In binding myself/ourselves as above I/we agree to adhere to all regulations and charges made or to be made by your Association with regard to the Exhibits at the Colonial Exhibition at Semarang.

Residence

Date

Signature

Charges for space and additional regulations for Exhibitors.

Tariff for Space in the Buildings.

The calculation of the rates is based on the following :—

(*a*) Space with one front *f* 20 per square metre.
(*b*) „ „ two fronts „ 30 „ „ „
(*c*) „ „ three „ „ 40 „ „ „
(*d*) „ „ four „ „ 50 „ „ „

The ground space of the building is divided in separate stands of between 6 and 25 square metres. The rates for these stands are calculated on above bases. Exhibitiors who require more space may hire adjoining stands against payment of the proportionate rent.

The following reductious are granted in connection with increased requirements of space :—

For space of 25 square metres to 50 square metres 10% } with a minimum of *f* 20.— per M².
„ „ 50 square metres to 100 square metres 20 %
„ „ over 100 square metres 30 %

The rent of space outside the buildings will be arranged later. The minimum rate being *f* 10.—per M².

The rent of wall space, not belonging to a stand, is *f* 10.—per M².

The Exhibitors must pay for the spaces as follows : —

Half the amount of the rent when signing the contract and the other half before 1st April 1914, failing which the right to the space is cancelled, the Exhibitor forfeiting the rent already paid.

The choice of the stands for the exhibits as well as the designs of the stalls are subject to approval of the Director-General.

It is forbidden to stick bills, advertising materials, etc., or to fasten exhibits or parts thereof to the unlet spaces on pillars, walls, partitions, etc.

During the hours when the Exhibition is open to the public exhibits may not be withdrawn from sight.

Price lists, circulars, advertising materials, etc., may only be distributed at their respective stalls by, or in the name of, the Exhibitors.

ORDERED that the information be published in the Supplement to the *Gazette of India* for general information, and that copies of the Resolution be forwarded to all Local Governments and Administrations, and to the Foreign and Revenue and Agriculture Departments for information.

Ordered, also, that a copy be forwarded to all Chambers of Commerce for information.

R. E. ENTHOVEN,
Secretary to the Government of India.

Punjab Government Press, Lahore - 21-3-13-3242-850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MARCH 28, 1913.

PART II.

Republication from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," EXTRAORDINARY, DATED MARCH 22, 1913.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Delhi, the 22nd March 1913.

No. 1-*S.*—Intelligence having been received of the death of His Majesty George, King of the Hellenes, court mourning is ordered for four weeks from the 19th March, half mourning commencing from the 9th April 1913.

When attending at the Viceregal Court ladies will appear in black until the 8th April and thereafter in half mourning. Officers in uniform will when attending the Viceregal Court wear a crêpe band on the left arm throughout the period of mourning.

By command,

F. A. MAXWELL, *Lieut.-Colonel,*

Military Secretary to the Viceroy.

FROM THE "GAZETTE OF INDIA," DATED MARCH 22, 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Delhi, the 20th March 1913.

No. 1884-*C.*—The services of Mr. G. M. Young, I.C.S., of the Punjab Commission are placed temporarily at the disposal of the Royal Commission on Public Services in India with effect from the afternoon of the 28th February 1913.

DELHI.

The 17th March 1913.

No. 1829-*C.*—The services of Mr. H. W. Waite, Assistant Superintendent of Police, Delhi, are replaced at the disposal of the Government of the Punjab, with effect from the date on which he relinquishes charge of his duties at Delhi.

No. 1840-*C.*—In continuation of Home Department Notification No. 1057, dated the 7th October 1912, the services of Captain G. E. Sopwith, R E., are placed at the disposal of the Chief Commissioner, Delhi, for the period from the 28th February to the 19th April 1913.

H. WHEELER,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 17th March 1913.

No. 512-*I.B.*—The Governor-General in Council is pleased to direct that in the schedule annexed to the notification of the Government of India in the Foreign Department, No. 2444-I. B., dated the 26th November 1912, of Courts (*a*) to which the provisions of section 29 of the Code of Civil Procedure, 1908 (V of 1908), apply and (*b*) by which summonses issued by Courts in British India under the said Code may be served, the following further amendment shall be made, namely :—

For the entries relating to Mahi Kantha the following shall be substituted :—

" *Mahi Kantha.*

Court of the Sir Nyayadhish of the Idar State.
Do. Rao of Pol.
Do. Maharana of Danta.
Do. Rawalji of Malpur.
Do. Rawalji } of Mansa.
Do. Nyayadhish } of Mansa.
Do. Manager of Mohanpur.
Do. Thakur } of Katosan.
Do. Nyayadhish } of Katosan.
Do. Thakur of Varsoda.
Do. Thakur of Ranasan.
Do. Mia of Punadra.
Do. Thakur of Amliyara.
Do. Manager of Pethapur.
Do. Manager of Khadal.
Do. Manager of Ghodasar.
Do. Manager of Ilol.
Do. Thakur of Vasna.
Do. Thakur of Sudasna (including the Court of the Thakur of Dalisna).
Do. Thakur of Rupal.
Do. Thakur of Magodi.
Do. Thakur of Vadagam.
Do. Manager of Valasna.
Do. Thakur of Sathamba.
Do. Thakur of Kadoli.
Do. Thakur of Hapa.
Do. Thakur of Gabat."

No. 513-I.B.—In the list annexed to the notification of the Government of India in the Foreign Department, No. 2053-I.B, dated the 22nd September 1911, of Courts in Native States by which the decrees passed by Civil Courts in British India may be executed, under the head of "Mahi Kantha" the following shall be added, namely :—

"Court of the Manager of Ghodasar."

No. 515-I.B.—Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands :

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to provide as follows for the administration of the said lands :—

(1) All laws for the time being in force in the districts of the Punjab specified in the third column of the said schedule shall be in force in the lands lying within the States specified in the corresponding entry in the second column which are occupied by the portions of the Railways specified in the corresponding entry in the first column thereof.

(2) The Lieutenant-Governor of the Punjab and all officers subordinate to him for the time being exercising executive authority within the said districts shall exercise the like authority within the said lands.

(3) All Courts having for the time being jurisdiction within the said districts shall have the like jurisdiction within the said lands.

(4) The following notifications of the Government of India in the Foreign Department are hereby cancelled to the extent noted against each :—

No. 1007-I., dated the 21st March 1884 ...	So much as relates to these lands.
No. 2925-I., dated the 28th August 1885 ...	The whole.
No. 1503-I., dated the 7th May 1886 ...	The whole.
No. 3927-I., dated the 5th November 1886 ...	The whole.
No. 1458-I., dated the 8th April 1891 ...	The whole.
No. 3387-I.B., dated the 13th November 1899 ...	The whole.
No. 733-I.B., dated the 9th February 1900 ...	The whole.

Schedule.

1		2	3
Railway.		State.	District.
Bombay, Baroda and Central India Railway system.	1. Rajputana-Malwa Railway—		
	Main Line.		
	Ajeraka-Delhi ...	Nabha ...	Gurgaon.
		Pataudi ...	Gurgaon.
	Rewari-Bhatinda-Fazilka Section.		
	Rewari-Bhatinda-Faridkot frontier. ...	Dujana ...	Hissar.
		Jind ...	Hissar.
		Patiala ...	Hissar.
	Faridkot frontier-Muktsar ...	Faridkot ...	Ferozepore.
		Nabha ...	Ferozepore.

Schedule – concld.

1		2	3
Railways.		State.	District.
East Indian Railway system.	2. Delhi-Ambala-Kalka Railway.		
	Ambala-Kalka ...	Patiala ...	Ambala.
		Kalsia ...	
North-Western Railway system.	3. North-Western Railway.		
	Main Line.		
	Ambala-Khanna ...	Patiala ...	Ambala.
		Nabha ...	
	Khanna-Ludhiana ...	Patiala ...	Ludhiana.
	Ludhiana-Amritsar ...	Kapurthala	Jullundur.
	Raewind-Bhatinda Branch.		
	Ferozepore-Bhatinda ...	Faridkot ...	Ferozepore.
		Nabha ...	
		Patiala ...	
	Jammu-Kashmir Section.		
	Sialkot-Jammu ...	Jammu ...	Sialkot.
Ditto	4. Southern Punjab Railway.		
	Main Line.		
	Samasata-Panjkosi ...	Bahawalpur ...	Multan.
		Bikaner ...	Ferozepore.
	Ludhiana Extension.		
	McLeodganj-Fazilka ...	Bahawalpur ...	Multan.

No. 516 *I. B.*—Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the first schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands :

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to provide as follows for the administration of justice within the said lands.

PART I.—CRIMINAL JURISDICTION.

For the purposes of criminal jurisdiction, except in proceedings against European British subjects and persons jointly charged with European British subjects, the following arrangements shall be made, namely :—

(1) Within the lands occupied by the Railways as aforesaid, the officers and the Court mentioned in the corresponding entries in the third, fourth and fifth columns of the first schedule shall exercise, respectively—

(a) the powers of a District Magistrate including all powers conferable on a District Magistrate,

(*b*) the powers of a Court of Session, and

(*c*) the powers of a High Court,

as described in the Code of Criminal Procedure, 1898, as for the time being in force in the said lands.

(2) In any case in which the complainant, if any, and all the accused persons are subjects of the same Native State, it shall be in the discretion of a Court of original criminal jurisdiction to decline to exercise the powers hereby conferred.

PART II.—CIVIL JURISDICTION.

For the purposes of civil jurisdiction the following arrangements shall be made, namely :—

Within the lands occupied by the railways, as aforesaid, the officers and the Court mentioned in the corresponding entries in the sixth and seventh columns of the first schedule shall exercise, respectively, for all purposes connected with the administration of civil justice—

(*a*) the powers of a Divisional Court, and

(*b*) the powers of the Chief Court,

as described in the Punjab Courts Act, 1884, as for the time being in force.

II. The notifications of the Government of India in the Foreign Department mentioned in the second schedule hereto annexed are hereby cancelled to the extent noted against each.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued.

First Schedule.

1		2	3	4	5	6	7
			Criminal Jurisdiction.			Civil Jurisdiction.	
Railway.		State.	District Magistrates with powers conferable under section 30 of the Code of Criminal Procedure, 1898.	Court of Session.	High Court.	Divisional Court.	Chief Court.
Bombay, Baroda and Central India Railway system.	1. Rajputana-Malwa Railway. *Rewari-Phulera Chord.*	Nabha ... Patiala ...	The Deputy Commissioner, Gurgaon.	The Political Agent for the Phulkian States and Bahawalpur.		The Political Agent for the Phulkian States and Bahawalpur.	
Jodhpur-Bikanir Railway system.	2. Jodhpur-Bikaner Railway. Bhatinda-Bikaner frontier ...	Patiala ...	The Deputy Commissioner, Ferozepore.				
North-Western Railway system.	3. Kalka-Simla Railway ...	Patiala ... Bighat ... Keonthal ...	The Assistant Superintendent of the Simla Hill States.	Ditto. The Superintendent of the Simla Hill States.		Ditto. The Superintendent of the Simla Hill States.	
	4. Ludhiana-Dhuri-Jakhal Railway. Ludhiana-Malerkotla frontier near Lacche-Baddi.	Malerkotla ...	The Deputy Commissioner, Ludhiana.	The Commissioner, Jullundur Division.		The Commissioner, Jullundur Division.	
	Malerkotla Frontier-Jakhal ...	Patiala ... Nabha ... Jind ...					
	5. Rajpura-Bhatinda Railway. Rajpura-Dhuri ...	Patiala ... Nabha ...	The Deputy Commissioner, Ambala.		The Chief Court of the Punjab.		The Chief Court of the Punjab.
	Dhuri-Bhatinda ...	Patiala ... Nabha ...	The Deputy Commissioner, Ludhiana.	The Political Agent for the Phulkian States and Bahawalpur.		The Political Agent for the Phulkian States and Bahawalpur.	
	6. Southern Punjab Railway. *Main Line.* Gaddarbaha-Budhlada ...	Patiala ...	The Deputy Commissioner, Ferozepore.				
	Budhlada-Jind frontier near Uchana...	Patiala ...	The Deputy Commissioner, Rohtak.				
	Jind frontier near Uchana-Karainthi...	Jind ...					
	Narwana-Kaithal Branch ...	Patiala ...	The Deputy Commissioner, Karnal.				

SECOND SCHEDULE.

No. and date of notification.	Extent of cancellation.
No. 355-I.B., dated the 25th January 1901...	So much as relates to the Jodhpur-Bikaner Railway lands in the Patiala State except clause (1) and the first two columns of the schedule.
No. 356-I.B., dated the 25th January 1901...	Ditto.
No. 1244 I.B., dated the 13th March 1903, as amended by No. 2908-I.B., dated the 15th July 1903.	All except clause (1) and the first two columns of the schedule.
No. 1245-I.B., dated the 13th March 1903...	Ditto.
No. 426-I.B., dated the 29th January 1904...	Ditto.
No. 427-I.B., dated the 29th January 1904...	Ditto.
No. 4349-I.B., dated the 2nd December 1904	Ditto.
No. 4351-I.B., dated the 2nd December 1904	Ditto.

No 517-*I. B.*—Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the railway lands specified in notification No. 516-I. B., dated the 17th March 1913, and over all persons and things whatsoever within the said Lands:

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to apply to the said lands (hereinafter styled "the Railway Lands") the enactments specified in the first schedule hereto annexed, in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India.

Provided, first, that in the enactments as so applied references to a Local Government shall be read as referring to the Lieutenant-Governor of the Punjab: references to a High Court as referring to the Chief Court of the Punjab: and, except where the context or the modifications hereinafter referred to otherwise require, references to British India or to a province or the territories subject to a Local Government as referring to the Railway Lands.

Provided, secondly, that the further modifications and restrictions set forth in the said schedule shall be made in the said enactments as so applied.

Provided, thirdly, that for the purpose of facilitating the application of the said enactments any Court in the Railway Lands may construe the provisions thereof, and any notifications, orders, rules, forms or bye-laws thereunder, with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court.

Provided, fourthly, that subject to the provisions of this notification, the Lieutenant-Governor of the Punjab may direct by what officer any authority or power under the said enactments shall be exerciseable.

II. The notifications of the Government of India in the Foreign Department mentioned in the second schedule hereto annexed are hereby cancelled to the extent noted against each.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued but that, save as aforesaid, all proceedings commenced, officers appointed or authorized, jurisdictions or powers conferred or confirmed, notifications published, rules made, orders passed, and things done under any of the enactments specified in the notifications hereby superseded in the Railway Lands, shall, so far as may be, be deemed to have been respectively commenced, appointed, or authorized, conferred or confirmed, published, made, passed and done under the corresponding enactments specified in this notification.

FIRST SCHEDULE.

Enactments applied.	Further modifications and restrictions.
1. The Indian Penal Code (Act XLV of 1860). ...	In section 75 the words "British India" shall be read as referring to British India and the Railway Lands.
2. The Police Act, 1861 (V of 1861) ...	(1) In section 1 for the first paragraph the following shall be substituted :— "The words 'Magistrate of the district' shall mean the Officer exercising within the railway lands in question the powers of a District Magistrate as described in the Code of Criminal Procedure, 1898." (2) In section 34 for the words "road or in any open place or street or thoroughfare within the limits of any town" the words "railway lands" shall be substituted.
3. The Indian Succession Act, 1865 (X of 1865).	In section 3, the definition of "British India" and the word 'therein' in the definition of "High Court" shall be omitted.
4. The Public Gambling Act, 1867 (III of 1867).	The preamble, the first two paragraphs of section 1, and section 2 shall be omitted.
5. The Court-fees Act, 1870 (VII of 1870)	...
6. The Cattle-trespass Act, 1871 (I of 1871)	...
7. The Indian Evidence Act, 1872 (I of 1872).	In sections 57, 74, 78 and 79 the words "British India" shall be read as referring to British India, the Railway Lands and areas outside British India under the administration of the Governor-General in Council.
8. The Indian Contract Act, 1872 (IX of 1872).	
9. The Indian Oaths Act, 1873 (X of 1873).	
10. The Probate and Administration Act, 1881 (V of 1881).	
11. The Indian Telegraph Act, 1885 (XIII of 1885).	
12. The Provincial Small Cause Courts Act, 1887 (IX of 1887).	
13. The Police Act, 1888 (III of 1888).	
14. The Succession Certificate Act, 1889 (VII of 1889).	For section 17 the following shall be substituted :— "17. Where a certificate in the form of the second schedule to this Act has been granted under the Succession Certificate Act, 1889, by a Court having jurisdiction under the Act in British India, or under the Act as applied in any area outside British India which is under the administration of the Governor-General in Council or where a certificate in the form, as nearly as circumstances admit, of the said schedule has been granted to a resident within a foreign State by the British representative accredited to

the State, or where a certificate so granted has been extended in such form by such Court or by such representative, the certificate shall have the same effect as a certificate granted or extended under this Act."

15. The Revenue Recovery Act, 1890 (I of 1890).

For section 8 the following shall be substituted :—

"8. The provisions of this Act shall apply equally to—

(a) the recovery in the Railway Lands of any arrear of land revenue accruing, or sum recoverable as an arrear of land revenue and payable to a Collector or other public officer or to a local authority, in any part of British India or in any local area which is not part of British India but which is under the administration of the Governor-General in Council and to which the Revenue Recovery Act, 1890, has been applied ; and

(b) the demand for the recovery in British India or in any such local area of any such arrear accruing, or sum so recoverable and payable in the Railway Lands."

16. The Epidemic Diseases Act, 1897 (III of 1897).

17. The General Clauses Act, 1897 (X of 1897).

In section 3, clause (7), the words "British India" shall remain unmodified, but in any other enactment, where this definition would otherwise apply, the words shall be read subject to the provisions of this notification.

18. The Code of Criminal Procedure, 1898 (V of 1898).

(1) Sections 22 to 25 shall be omitted.

(2) A Sessions Judge at his discretion—

(a) may take cognizance of an offence without the accused person being committed to the Court of Session by a Magistrate and, if so, shall follow the procedure laid down by this Code for the trial of warrant cases by Magistrates ; and

(b) in other cases may direct that any trial before the Court of Session shall be without jury or aid of assessors.

(3) In section 503, sub-section (1), after the words "such attendance and" the words "if such witness resides in any area to which this Code applies or in British India" shall be inserted.

(4) Nothing in the Code as applied shall be deemed to apply to proceedings against European British subjects or persons charged jointly with European British subjects.

19. The Indian Post Office Act, 1898 (VI of 1898).

20. The Indian Stamp Act, 1899 (II of 1899).

21. The Indian Extradition Act, 1903 (XV of 1903).

22. The Provincial Insolvency Act, 1907 (III of 1907).

23. The Code of Civil Procedure, 1908 (V of 1908).

(1) In section 2, sub-section (5), section 10, and rule 49, sub-rules (4) and (5) of Order XXI in the First Schedule the words "British India" shall be read as referring to British India and the Railway Lands.

(2) In the proviso to section 29 after the word "summonses" the words "are situate in British India or" shall be inserted.

(3) For section 43 the following shall be substituted :—

Execution of decrees of British Courts.

"43. Any decree passed by a Civil Court in British India, or by any Court established or continued by the authority of the Governor-General in Council, may, if it cannot be executed within the jurisdiction of the Court by which it was passed, be executed in the manner herein provided within the jurisdiction of any Court in the Railway Lands."

(4) In section 45 after the words "and Court" the words "situate in British India or" shall be inserted.

(5) In section 78 for clause (*b*) the following shall be substituted :—

"(*b*) Courts situate in British India or in any other part of the British Empire, or"

(6) To rule 25 of Order V in the First Schedule the following shall be added :—

"Provided that, if the defendant resides in British India, the summons may be sent for service to a Court (not being a High Court) having jurisdiction at the place where he resides ; and if the Court returns the summons with an endorsement signed by the judge or other officer of the Court that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be deemed to be evidence of service."

(7) The provisions of rule 48 of Order XXI in the First Schedule shall apply only to those cases in which the salary or allowances are payable in the Railway Lands.

24. The Indian Limitation Act, 1908 (IX of 1908).	(1) In section 13, the words "British India" shall be read as referring to British India and the Railway Lands. (2) Sections 30 and 31 shall be omitted in the application of the Act to the Jodhpur-Bikaner Railway Lands. (3) In the case of articles 52, 53, 57, 59, 61, 63, 64, and 66 to 80 in the First Schedule the period of limitation shall be six years, provided that this shall not be deemed to revive any right to sue already at the date of this notification barred under the Indian Limitation Act, 1877, or the Indian Limitation Act, 1908, as in force hitherto in the Railway Lands.
25. The Indian Registration Act, 1908 (XVI of 1908).	(1) In section 33 the words "British India" shall remain unmodified. (2) In section 33, sub-section (1), after the words "executing the power-of-attorney resides" in clause (a) and after the words "does not reside" in clause (c), the words "in the Railway Lands or" shall be added.
26. The Whipping Act, 1909 (IV of 1909).	Section 6 shall be omitted.
27. The Indian Lunacy Act, 1912 (IV of 1912).	(1) To section 3, sub-section (1), the following shall be added :— "and includes any asylum in the Punjab which the Lieutenant-Governor of the Punjab may by general or special order appoint." (2) Sections 14, 15 and 67 shall be subject to the proviso that, if a lunatic is an inhabitant of a Native State, the Magistrate or Judge, as the case may be, may make him over to the care of such State with its consent and, in the case of an order under section 67, with the consent of the person on whose application the inquisition was instituted. (3) In section 85 for the words "in any province" and "in any other province," respectively the words "in the Railway Lands" and "outside the Railway Lands" shall be substituted.

SECOND SCHEDULE.

No. and date of notification.	Extent of cancellation.
No. 1415-I., dated the 30th April 1890 ...	So much as applied the Revenue Recovery Act, 1890 (I of 1890), to railway lands in the Punjab.
No. 443-I. A., dated the 4th February 1897	So much as applied the Epidemic Diseases Act, 1897 (III of 1897), to railway lands in the Punjab.
No. 355-I. B., dated the 25th January 1901	So much relating to the Jodhpur-Bikaner railway lands in the Patiala State as has not been cancelled.
No. 356-I. B., dated the 25th January 1901, as amended by No. 443-I. B., dated the 2nd March 1909, and No. 1434-I. B., dated the 23rd July 1909.	Ditto.
No. 1244-I B., dated the 13th March 1903, as amended by No. 2903-I. B, dated the 15th July 1908, and No. 489-I. B., dated the 3rd March 1911.	So much as has not been cancelled.
No. 1245-I. B., dated the 13th March 1903, as amended by No. 443-I. B., dated the 2nd March 1909, and No 489-I. B., dated the 3rd March 1911.	Ditto.
No: 426-I. B., dated the 29th January 1904, as amended by No. 490-I. B., dated the 3rd March 1911.	Ditto.
No. 427-I. B., dated the 29th January 1904, as amended by No. 443-I. B., dated the 2nd March 1909, and No. 490-I. B., dated the 3rd March 1911.	Ditto.
No. 4349-I B., dated the 2nd December 1904, as amended by No. 491-I. B., dated the 3rd March 1911.	Ditto.
No. 4351-I. B., dated the 2nd December 1904, as amended by No. 2362-I. B., dated the 6th December 1910, and No. 499-I.B., dated the 3rd March 1911.	Ditto.

A. H. McMAHON,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

Delhi, the 22nd March 1913.

CUSTOMS.

No. 237 *C.*—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor-General in Council is pleased to prohibit the bringing by sea or by land into British India of any copy of the paper entitled "El-Islam" which is printed and published at Tokio, Japan.

R. E. ENTHOVEN,

Secretary to the Government of India.

Punjab Government Press, Lahore—28-3-13—3305—850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, APRIL 4, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MARCH 15, 1913.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

NOTIFICATION.

Simla, the 12th March 1913.

No. 78.—It is hereby notified for general information that the Railway Board have sanctioned detailed surveys being carried out by the agency of the North-Western Railway Administration for lines of railway on the 2′ 6″ gauge from Nankana *viâ* Bulloke to Changa Manga, a distance of about 35 miles, and from Changa Manga *viâ* Chunian, Hujra and Dipalpur to Pak Pattan, a distance of about 60 miles.

These surveys will be known as the Nankana-Changa Manga and Changa Manga-Pak Pattan Railway Surveys respectively.

R. C. F. VOLKERS,
Secretary, Railway Board.

FROM THE "GAZETTE OF INDIA," DATED MARCH 29, 1913.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Delhi, the 22nd March 1913.

No. 1-*S.*—Intelligence having been received of the death of His Majesty George, King of the Hellenes, court mourning is ordered for four weeks from the 19th March, half mourning commencing from the 9th April 1913.

When attending at the Viceregal Court ladies will appear in black until the 8th April and thereafter in half mourning. Officers in uniform will when attending the Viceregal Court wear a crêpe band on the left arm throughout the period of mourning.

By command,
F. A. MAXWELL, Lt.-Colonel,
Military Secretary to the Viceroy.

DEPARTMENT OF EDUCATION.

NOTIFICATIONS.

EDUCATION.

Delhi, the 26th March 1913.

No. 550-*C. D.*—The following statements laid on the table by the Honourable Member for Education at the meeting of the Imperial Legislative Council on the 7th March 1913 are published for general information :—

EDUCATIONAL GRANTS.

The grants now made for education out of the surplus of the current year and the revenues of 1913-14 are in addition to those already announced. To avoid confusion, it will be well briefly to remind Honourable Members of the amounts and the objects of the latter.

GRANTS—1911.

2. At the close of 1910-11 a non-recurring grant was made to provinces amounting to 90·17 lakhs. The distribution, with reference to objects, was as follows :—

	Lakhs of rupees.
Technical and industrial education	15·81
Collegiate education	1·00
Secondary schools	8·20
Secondary training	2·12
Primary schools	9·95
Primary training	8·12
European education	6·57
Education of girls	2·50
Hostels	20·95
Miscellaneous (for special requirements)	14·95
TOTAL	90·17

GRANTS—1912.

3. The grants in 1912-13 aggregated 125 lakhs, *viz.*:—

(i) Non-recurring grant of 65 lakhs.

(ii) Imperial Durbar grant of 50 lakhs recurring.

(iii) Further grant of 10 lakhs recurring.

(i) *Non-recurring grant of* 65 *lakhs.*—The distribution was stated in Council on the 8th March 1912. As actually carried out, it stands as follows :—

	Lakhs of rupees.
Universities	16·00
Special institutions	4·00
Hostels in Calcutta	10·00
University and hostel scheme at Dacca	10·00
Hostels other than those in Calcutta and Dacca	24·87
Imperial expenditure	0·13
TOTAL ...	65·00

(ii) *Recurring grant of* 50 *lakhs announced at the Imperial Durbar for truly popular education.*—The immediate distribution of 45 lakhs was indicated as regards objects, in the reply to the Hon'ble Mr. Gokhale on the 1st of March 1912. The actual distribution has been as follows :—

	Lakhs of rupees.
Elementary education of boys	30·00
Education (mainly elementary) of girls...	5·00
Hostels	5·00
Technical and industrial education	2·00
European education	3·00
Total ...	45·00

			Rs.
Further distribution to provinces to meet urgent needs under the objects specified above, recurring			1,50,500
Extension of education among the poorer classes of the domiciled community in Calcutta and Madras, recurring			70,000

Imperial expenditure—

		Rs.	
On elementary education ...	Capital	1,48,500	
	Recurrring	54,000	
	Total		2,02,500
On secondary education ...	Capital	77,000	
	Recurring	...	
	Total		77,000
	Total		5·00
	GRAND TOTAL ...		50·00

(iii) *Recurring grant of* 10 *lakhs for universities and privately managed secondary institutions*—On the 8th March 1912, a statement was made regarding the distribution of nine lakhs, one lakh being held in reserve. The actual distribution has been :—

	Lakhs of rupees.
Recurring grants to universities (including provision for the future University at Dacca)	3·00
Recurring grants to privately managed secondary schools ...	6·00
Capital grants for Imperial expenditure (mainly on privately managed secondary schools both for Indians and for Europeans at Bangalore)	1·00*
TOTAL	10·00

*This amount (1 lakh a year) is earmarked for an Oriental Research Institute when a scheme is ready.

By "Imperial expenditure" is meant provision made for the expansion and improvement of education in those areas which are financed wholly or partially from Imperial revenues. The recurring grants to the major provinces will continue unchanged in the forthcoming year. Other grants, made to agencies, etc., have in some cases been made for capital objects; hence the amounts will undergo slight modification.

GRANTS—1913.

4. New grants are being provided for education out of the surplus of the current year and the revenue of the year 1913-14, to the amount of 374 lakhs, or just short of two and a half millions sterling, *viz.* :—

(*a*) Non-recurring grant of 69 lakhs from the opium surplus of the current year.

(*b*) Non-recurring grant of 250 lakhs from the surplus of ordinary revenue during the current year.

(*c*) Recurring grant of 55 lakhs from the revenue of the year 1913-14.

The distribution of these grants according to objects will be as follows :—

(*a*) *Non-recurring grant of* 69 *lakhs from the opium surplus*—The whole of this grant to Local Governments, is allotted to hostel construction. A specially liberal grant is made to Bengal to provide the balance for the Dacca hostel scheme as well as for hostels elsewhere. A sum of two lakhs is given on to the University of Calcutta over and above the amount which this institution will receive along with other Universities from the grant from the surplus of ordinary revenue in order to enable the University to purchase a site required for expansion of University buildings. The distribution accordingly is :—

	Lakhs of rupees.
Hostels	67·00
Calcutta University	2·00
Total ...	69·00

(*b*) *Non-recurring grant of* 250 *lakhs from the surplus of ordinary revenue.*—This is distributed to Universities and Local Governments for buildings equipments and other capital charges, as follows :—

Universities,— 46 *Lakhs* ; to be distributed as follows :—

	Lakhs of rupees.
University of Calcutta	6·00
University of Bombay	2·00
University of Madras	3·00
Punjab University	2·00
University of Allahabad	2·00
Dacca University	15·00
Patna University	8·00
Rangoon University	8·00
Total ...	46·00

It has already been decided in principle to establish Universities at Dacca, Patna and Rangoon and it is necessary to provide for their early foundation. The grants for this purpose, however, are contingent upon the approval by the Government of India or the Secretary of State of schemes for their constitution.

Colleges and secondary schools (including training institutions),—35 lakhs.—The Government of Madras are understood to contemplate considerable expenditure upon their engineering college. It will be open to that Government to spend a portion of the sum on this object. The remainder of the total grant is intended for arts colleges and secondary schools. The Government of India desire to urge the claims of training institutions.

Elementary schools,—84 lakhs.—This grant is intended for the erection and equipment of vernacular (mainly elementary) schools and vernacular training institutions.

Educational, hygiene, gymnasia, play-grounds, swimming-baths, gardens, reading-rooms, common-rooms, etc.,—25 lakhs.—This grant is intended to make a start in placing education upon a broader basis along the lines indicated in the resolution No. 301-C.D. of the 21st February last.

Manual instruction,—7 lakhs.—This is designed to encourage the much-needed introduction of manual training into schools; two Local Governments have already framed schemes of this kind.

Girls' schools, technical and special schools,—25 lakhs.—These objects have been grouped together under a single head in order that Local Governments may deal freely with their grants according to the readiness of local programmes.

European education,—28 lakhs.—There are large demands for the improvement of buildings and equipment in schools for the domiciled community in all provinces except Bihar and Orissa, where the needs for such education are not extensive and are reported to have been satisfied by previous grants.

The Government of India are about to address Local Governments on the question of encouraging Muhammadan education generally. But they do not desire to delay any existing schemes and they have no doubt that Local Governments in distributing grants will make provision for special Muhammadan institutions.

(*c*) *Recurring grant of 55 lakhs out of the revenues of the ensuing year.*—Six lakhs is held in reserve for the present to meet undeclared requirements such as proposals for the development of Oriental studies and Muhammadan education and 49 lakhs distributed as follows :—

	Lakhs of rupees.
Universities	6·50
Primary education	20·00
Girls education	5·00
Colleges and training institutions	3·00
Secondary education	9·00
Technical and special education	1·50
Manual training	1·00
European education	3·00
Total ...	49·00

Universities,—6·50 lakhs.—Recurring grants have been made during the current year to the existing universities for the encouragement of research work and higher teaching. The result of that experiment is awaited. Meanwhile, the Government of India desire to make

adequate provision for the creation of new universities and a new type of teaching and residential universities—a reform to which they attach great importance. They are accordingly allotting 5 lakhs for the proposed teaching and residential University at Dacca (for which Rs. 45,000 has already been given); and for universities at Patna and Rangoon sums of 1 lakh and 0·50 lakh, respectively. This expenditure will be contingent upon sanction. Meanwhile these recurring grants will accumulate a fund which should provide for capital charges.

5. The distribution of both non-recurring and recurring grants has been calculated, first, upon the population and other statistical considerations in each province; second, upon an estimate, as worked out by each Local Government, of its requirements over the next three years. These estimates are necessarily of a rough nature. Local Governments were unofficially invited to compile them in order that, in this and forthcoming distributions, the Government of India might have before them the wishes of each Local Government and might be able approximately to adjust the amount of grant under each head to the conditions of the province. The Government of India do not desire to tie down Local Governments too rigorously to particular heads, provided there is a general conformity to policy, and will consider favourably applications for transfer of sums from one educational head to another subject to this general provision.

6. The distribution under (*a*) and (*b*) and the distribution of 49 lakhs under (*c*) represents provision in the budgets of major Local Governments only, except that sums are allotted under (*c*) to the North-West Frontier Province and Coorg. The totals shown will not be wholly allotted in the provincial budgets during the ensuing year but will be made available according to the spending capacity of each Local Government and upon other considerations. None of the sums in the distribution shown above will be used for Imperial expenditure, *i.e.*, for financing schemes in the North-West Frontier Province, Coorg (except from the recurring grant of 55 lakhs), Baluchistan, Ajmere-Merwara, the Province of Delhi, or other special areas such as those administered by Political Officers. For the educational requirements of these Administrations and areas, the Government of India are allotting Imperial funds during the current year.

7. Statistics showing educational progress (which will be published in the *Gazette of India*) and a brief descriptive summary are laid on the table. These show a considerable increase in expenditure and in numbers under instruction during the past year (1911-12).

8. The new department got to work in January 1911. Since then Imperial grants for education have aggregated—

	Lakhs of rupees.
Non-recurring	479·00
Recurring	115·00

The slight excess over the grants as previously stated is due to the distribution of additional sums to special areas or institutions. The Imperial Government has therefore increased the allotments for education by Rs. 594,00,000 or £3,960,000 sterling of which Rs. 4,79,00,000 or £3,193,000 sterling is for capital charges and Rs. 1,15,00,000 or £767,000 sterling is a permanent recurring increase.

Distribution of the non-recurring grant of Rs. 69,00,000.

PROVINCE.	Universities.	Hostels.	Total.
	Rs.	Rs.	Rs.
Madras	...	4,00,000	4,00,000
Bombay	...	7,75,000	7,75,000
Bengal	2,00,000	20,50,000	22,50,000
United Provinces	...	8,25,000	7,25,000
Punjab	...	7,75,000	7,75,000
Burma	...	3,25,000	3,25,000
Bihar and Orissa	...	7,25,000	7,25,000
Central Provinces	...	4,75,000	4,75,000
Assam	...	3,50,000	3,50,000
TOTAL ...	2,00,000	67,00,000	69,00,000

Distribution of the non-recurring grant of Rs. 2,50,00,000.

PROVINCE.	Universities.	Colleges and secondary schools and training institutions.	Elementary schools.	Educational, hygiene, gymnasia, etc.	Manual training.	Girls' schools, technical and special schools.	European education.	TOTAL.		
								Universities.	Other heads.	Total.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Madras	3,00,000	*6,00,000	17,00,000	6,00,000	1,50,000	6,00,000	5,50,000	3,00,000	42,00,000	45,00,000
Bombay	2,00,000	4,00,000	12,50,000	4,00,000	1,00,000	3,00,000	4,50,000	2,00,000	29,00,000	31,00,000
Bengal	†21,00,000	7,00,000	10,00,000	3,50,000	1,00,000	5,00,000	5,00,000	21,00,000	31,50,000	52,50,000
United Provinces ...	2,00,000	4,50,000	15,00,000	3,00,000	1,00,000	3,00,000	5,50,000	2,00,000	32,00,000	34,00,000
Punjab	2,00,000	4,50,000	5,50,000	2,00,000	50,000	2,00,000	1,00,000	2,00,000	15,50,000	17,50,000
Burma	8,00,000	1,50,000	5,00,000	1,50,000	50,000	1,00,000	3,50,000	8,00,000	13,00,000	21,00,000
Bihar and Orisa ...	‡8,00,000	2,50,000	10,50,000	2,25,000	75,000	2,50,000	...	8,00,000	18,50,000	26,50,000
Central Provinces ...	...	3,00,000	5,00,000	1,50,000	50,000	1,50,000	1,50,000	...	13,00,000	13,00,000
Assam	...	2,00,000	3,50,000	1,25,000	25,000	1,00,000	1,50,000	...	9,50,000	9,50,000
TOTAL ...	46,00,000	35,00,000	84,00,000	25,00,000	7,00,000	25,00,000	28,00,000	46,00,000	2,02,00,000	2,50,00,000

* May be partially used for Engineering College, the rest for Arts Colleges.
† For Dacca University . Rs. 15,00,000.
For purchase of fish-market Rs. 6,00,000.
‡ For the proposed Patana University.

Distribution of the recurring grant of Rs. 55,00,000.

PROVINCE.	Universities.	Primary education.	Girls' education.	Colleges and training institutions.	Secondary education.	Technical and special education.	Manual training.	European education	Reserve.	TOTAL.		
										Universities.	Other heads.	Total.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Madras	...	3,50,000	87,000	30,000	1,35,000	9,000	12,000	57,000	...	...	6,80,000	6,80,000
Bombay	...	2,76,000	75,000	50,000	95,000	37,000	15,000	45,000	...	...	5,93,000	5,93,000
Bengal	5,00,000	3,65,000	1,07,000	...	2,26,000	37,000	25,000	60,000	...	5,00,000	8,20,000	13,20,000
United Provinces ...	...	3,03,000	70,000	45,000	95,000	34,000	11,000	80,000	...	...	6,38,000	6,38,000
Punjab	...	1,23,000	39,000	35,000	95,000	21,000	5,000	20,000	...	...	3,38,000	3,38,000
Burma	50,000	1,03,000	37,000	30,000	67,000	5,000	5,000	10,000	...	50,000	2,57,000	3,07,000
Bihar and Orissa ...	1,00,000	2,19,000	47,000	40,000	95,000	...	22,000	...	...	1,00,000	4,23,000	5,23,000
Central Provinces ...	...	1,20,000	20,000	40,000	58,000	...	3,000	18,000	...	...	2,59,000	2,59,000
Assam	...	76,000	18,000	30,000	34,000	7,000	2,000	10,000	...	...	1,77,000	1,77,000
North-West Frontier Province.	...	55,000*	...	...	...	...	...	...	...	...	55,000	55,000
Coorg	...	10,000*	...	...	...	...	...	...	...	...	10,000	10,000
Reserve	...	...	...	...	...	...	...	...	6,00,000	...	6,00,000	6,00,000
Total ...	6,50,000	20,00,000	5,00,000	3,00,000	9,00,000	1,50,000	1,00,000	3,00,000	6,00,000	6,50,000	48,50,000	55,00,000

*Transfers may be made, as necessary, from these sums.

EDUCATIONAL SUMMARY, MARCH 1913.

The statistical table of educational progress in British India is appended and will be published in the *Gazette of India*. The figures there shown include the year 1911-12. The account of principal developments, given below, is brought up to date.

2. *Statistics of pupils.*—The grand total of pupils in all institutions (including private institutions) has risen by 435,139 to 6,780,721. All provinces show an increase. The increases in the United Provinces, the Punjab, Eastern Bengal and Assam and the North-West Frontier Province amount to over 9 per cent. of the total figures for 1910-11. The smallest increases are in Burma and Coorg The increase in pupils during the quinquennium ending 1907 was 866,732 ; during the quinquennium ending 1912 it was 1,392,089.

3. The percentage of those at school to those of school-going age (reckoned at 15 per cent. of the population) has risen, in the case of boys to 26 8, in that of girls to 4 7, in that of both to 16·0. The percentage of both boys and girls in public and private institutions together has risen from 16·9 to 17·7, and the percentage to the whole population from 2·5 to 2·6. Bombay, Bengal and Eastern Bengal and Assam show over 33 per cent. of boys of school-going age at school in public institutions ; Madras over 30 per cent. and Coorg nearly 30 per cent. ; Burma and the Central Provinces, over 20 per cent. ; in the United Provinces, the Punjab and the North-West Frontier Province, the percentages range from 13 to 17. The highest figures for girls are 16 per cent. in Coorg and 8·5 per cent. in Burma. The United Provinces is last with 1·4 per cent.

4. There has been an appreciable increase in the number of pupils of primary schools. In 1910-11 the increase was 68,583, or 1·5 per cent. of the previous year's figures. During the year under review it was 362,252 or 7·8 per cent. In collegiate and higher institutions, the increase has been less marked than in the previous year, and amounts to 28,687. The figures for higher institutions are as follows—

	Male.	Female.	TOTAL.
In colleges	35,915	369	36,284
In high schools	390,857	16,908	407,765
In middle schools	470,725	45,880	516,605

There has been a decline in middle school pupils in Madras.

5. In primary schools the figures now stand :—

Male	4,202,631
Female	785,511

There has been an increase in every province.

6. The number of those under training for the profession of teaching has risen by nearly 800, and now stands at 13,354. The number of those who qualified indicates a slight falling-off and was 4,282.

7. Technical school pupils number 12,064, an increase of 1,529.

8. The number in schools for Europeans and the domiciled community has increased by 876 and now stands at 33,720.

9. The increase in Muhammadan pupils has been noteworthy, amounting to 100,597. In secondary schools and colleges the increase has been 15,973, in elementary schools 73,266. The total in institutions of the former kind is now 174,401, in those of the latter, 1,022,768. The remainder of the increase and of the totals are in institutions of other kinds, the complete total being 1,316,998 pupils, of whom 533,333 were in the province of Eastern Bengal and Assam.

10. *Statistics of expenditure.*—The total expenditure was Rs. 7,85,93,000, an increase of Rs. 67,25,000 over that of the preceding year. To this increase public funds have contributed Rs. 34,83,000, against an increase under this head of Rs. 9,30,000 in the year before. Of the total, roughly 405 lakhs are now met from public funds (against 370 lakhs in the preceding year), *viz.*, 270 lakhs (against 242 lakhs) from provincial, 105 from district and 30 from municipal. (To the last item the Bombay Presidency contributed one-third.) Of the 380 lakhs from private sources, fees contributed 219 lakhs.

11. Among the larger provinces, the highest expenditure is in Bengal, 172 lakhs ; the lowest in the Central Provinces, 32½ lakhs. Save in Madras, Bengal and Eastern Bengal and Assam, public funds contributed more than private.

12. The average annual cost of educating a pupil has slightly risen, from Rs. 12·55 to Rs. 12·8. But the expenditure includes that indirectly incurred, as on buildings, etc.

13. *Principal developments.*—The main developments of the last and of immediately preceding years have been described in the resolution which appeared in the *Gazette of India* published on the 22nd February 1913, which also lays down the policy of the Government of India. The quinquennial review of education is now under preparation and will give further information. The year witnessed the assertion at the Imperial Durbar by command of His Most Gracious Majesty the King-Emperor of the predominant claims of educational advancement, the announcement of a recurring Imperial grant of 50 lakhs for the promotion of truly popular education, and the high expression of his hopes and wishes for the expansion and improvement of education delivered by His Majesty the King-Emperor in graciously receiving an address presented by the Calcutta University. In addition to the recurring grant of 50 lakhs, a recurring grant of 10 lakhs was sanctioned for university and higher education, and a non-recurring grant of 65 lakhs was also made. There has been expansion in expenditure accompanied by an increase of those under instruction.

Other features of the year have been the collection of materials for the preparation of extensive scheme for the spread of elementary education, and, in certain provinces, for the improvement of secondary education; the growth of new ideas regarding university teaching, which has resulted in the proposal for a teaching and residential university at Dacca ; the generous gift of Sir T. N. Palit to the University of Calcutta ; the creation of a Department of Industries at Madras as a portion of the scheme of industrial training and development ; the sanctioning of an industrial scheme for the Central Provinces ; an inquiry carried out by Colonel Atkinson and Mr. Dawson into the question of bringing technical institutions into closer touch with the employers of labour ; the institution of proposals for an Oriental Research Institute ; and the conference held in July 1912 on the education of the domiciled community whose interests have not been overlooked in the distribution of Imperial grants.

DEPARTMENT OF EDUCATION.

EDUCATION.

STATEMENT OF EDUCATIONAL PROGRESS IN INDIA.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	1,118,566	1,151,022	1,144,105	1,145,728	1,152,894	1,135,513
Population { Male ...	122,470,010	123,249,577	123,249,836	122,699,630	130,113,723	130,408,551
Population { Female ...	118,794,958	119,570,056	119,570,469	119,017,958	124,706,893	124,960,002
TOTAL POPULATION ...	241,264,968	242,819,633	242,820,305	241,717,588	254,820,616	255,368,553
Public Institutions for Males.						
Number of arts colleges ...	128	126	123	123	128	130
Number of high schools* ...	1,165	1,169	1,174	1,190	1,203	1,219
Number of primary schools ...	102,947	104,354	106,329	107,463	108,144	110,692
Male Scholars in Public Institutions.						
In arts colleges ...	18,758	19,384	18,788	22,912	24,806	29,369
In high schools* ...	286,391	301,565	315,905	344,647	364,704	390,881
In primary schools ...	†3,424,618	3,626,044	3,786,462	3,888,671	3,936,419	4,202,631
Percentage of male scholars in public institutions to male population of school-going age	22·7	23·1	25·15	26·2	25·3‡	26·8
Public Institutions for Females.						
Number of arts colleges ...	8	8	7	8	8	10
Number of high schools* ...	112	114	124	125	130	135
Number of primary schools ...	9,983	10,845	11,511	11,753	12,027	12,886
Female Scholars in Public Institutions.						
In arts colleges ...	160	175	185	217	244	279
In high schools* ...	11,885	12,924	13,654	14,257	14,864	16,884
In primary schools ...	†513,248	570,540	631,906	668,636	689,471	785,511
Percentage of female scholars in public institutions to female population of school-going age.	3·2	3·6	4·0	4·2	4·2‡	4·7
TOTAL SCHOLARS in public institutions { Male	4,183,041	4,428,175	4,650,134	4,826,554	4,930,084	5,253,065
TOTAL SCHOLARS in public institutions { Female	561,439	647,786	720,342	763,580	793,646	875,660
TOTAL ...	4,744,480	5,075,961	5,370,476	5,590,134	5,723,730	6,128,725
TOTAL SCHOLARS (both male and female) in all institutions.	5,388,632	5,699,146	5,972,204	6,203,305	6,345,582	6,780,721
Expenditure (in thousands of rupees).						
From provincial revenues ...	1,84,98	1,98,54	2,12,42	2,34,30	2,42,08	2,69,59
From local funds ...	91,16	1,01,86	1,17,24	1,02,24	1,00,32	1,05,80
From municipal funds ...	20,21	22,22	24,27	24,56	28,00	29,84
Total Expenditure from public funds.	2,96,35	3,22,62	3,53,93	3,61,10	3,70,40	4,05,23
From fees	1,48,21	1,57,30	1,69,37	1,85,42	2,00,67	2,19,09
From other sources ...	1,14,48	1,21,67	1,35,18	1,40,24	1,47,61	1,61,61
GRAND TOTAL OF EXPENDITURE.	5,59,04	6,01,59	6,58,48	6,86,76	7,18,68	7,85,93

*High schools include vernacular high schools also, in some provinces.
†Corrected figures from General Table I (Q. R.).
‡The percentages for 1910-11, being reckoned on the new census figures, are slightly misleading for purposes of comparison with previous years. This remark applies throughout all the tables.

STATEMENT OF EDUCATIONAL PROGRESS IN MADRAS.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	141,866	No change.	No change.	No change.	141,866	142,491
Population ... Male ...	18,841,971				20,152,916	20,389,666
Population ... Female	19,368,391				20,770,668	21,029,264
TOTAL POPULATION ...	38,210,362				40,923,584	41,418,930
Public Institutions for Males.						
Number of arts colleges ...	34	33	32	30	30	30
Number of high schools ...	171	170	169	172	172	168
Number of primary schools ...	21,379	21,929	22,412	23,108	23,426	24,044
Male Scholars in Public Institutions						
In arts colleges	4,648	4,283	4,227	3,911	3,709	4,893
In high schools	57,557	64,185	66,189	72,673	69,543	71,394
In primary schools ...	619,851	659,716	689,817	739,933	766,884	829,331
Percentage of male scholars in public institutions to male population of school-going age.	25·7	27·4	27·8	30·8	29·7	30 8
Public Institutions for Females.						
Number of arts colleges ...	2	2	1	1	1	2
Number of high schools ...	26	28	32	31	32	33
Number of primary schools ...	899	893	862	886	900	1,162
Female Scholars in Public Institutions.						
In arts colleges	39	37	38	37	32	46
In high schools*	3,279	3,808	4,981	4,212	4,027	4,510
In primary schools ...	120,253	127,107	135,784	147,910	156,027	199,719
Percentage of female scholars in public institutions to female population of school-going age.	5·1	5·4	5·8	6 2	6·1	6·6
TOTAL SCHOLARS in public institutions. Male	726,926	775,450	813,056	870,505	896,701	943,369
TOTAL SCHOLARS in public institutions. Female	148,740	156,948	168,167	181,461	190,861	209,517
TOTAL ...	875,666	932,398	981,223	1,051,966	1,087,562	1,152,886
TOTAL SCHOLARS (both male and female) in all institutions.	1,007,118	1,057,170	1,099,615	1,179,048	1,215,725	1,280,065
Expenditure (in thousands of rupees).						
From provincial revenues ...	24,73	28,40	27,79	39,07	43,16	44,22
From local funds	14,97	16,69	20,91	11,45	11,24	12,28
From municipal funds ...	3,09	2,95	3,84	3,17	3,21	3,15
Total Expenditure from public funds.	42,79	48,04	52,54	53,69	57,61	59,65
From fees	29,99	31,98	32,50	34,89	37,29	37,90
From other sources ...	2,488	26,89	32,37	30,81	32,78	38.10
GRAND TOTAL OF EXPENDITURE.	97,64	1,06,91	1,17,41	1,19,39	1,27,68	1,35,65

*Include also vernacular high schools for girls.

STATEMENT OF EDUCATIONAL PROGRESS IN BOMBAY.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	188,826	No change	No change.	No change.	188,826	188,826
Population ... Male ...	13,098,354				14,006,375	14,013,522
Population ... Female ...	12,373,014				13,071,673	13,074,273
TOTAL POPULATION ...	25,471,368				27,078,048	27,087,795
Public Institutions for Males.						
Number of arts college ...	10	11	11	11	11	11
Number of high schools ...	114	115	112	114	117	129
Number of primary schools ...	9,485	9,602	9,900	10,686	11,267	11,609
Male Scholars in Public Institutions.						
In arts colleges	2,690	2,567	2,613	2,958	3,177	3,643
In high schools	31,860	33,079	35,921	37,707	39,569	41,325
In primary schools ...	490,585	515,382	539,513	580,927	593,197	630,427
Percentage of male scholars in public institutions to male population of school-going age.	28·1	29·4	30·9	33 2	31·8	33·6
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	22	23	25	26	24	27
Number of primary schools ...	997	1,026	1,050	1,104	1,121	1,154
Female Scholars in Public Institutions.						
In arts colleges	57	53	60	76	81	76
In high schools	2,517	2,555	2,859	2,929	2,987	3,662
In primary schools ...	89,044	92,158	101,328	109,606	112,105	126,703
Percentage of female scholars in public institutions to female population of school-going age.	5·1	5·3	5 8	6 3	6·1	6·9
TOTAL SCHOLAR in public institutions. Male	551,345	578,348	607,537	653,704	667,469	707,328
TOTAL SCHOLAR in public institutions. Female	95,432	98,799	108,176	116,731	119,596	134,981
TOTAL ...	646,777	677,147	715,713	770,435	787,065	842,309
TOTAL SCHOLARS (both male and female) in all institutions	720,547	749,391	792,559	850,293	868,535	922,877
Expenditure (in thousands of rupees).						
From provincial revenues ...	43,08	44,90	46,72	49,04	46,60	53,98
From local funds ...	7,82	8,72	10,77	10,34	10,84	10,76
From municipal funds ...	5,88	7,03	7,34	7,50	9,54	10,14
Total Expenditure from public funds.	56,78	60,70	64,83	66,88	66,98	74,88
From fees	20,12	21,81	22,40	23,96	24,49	26,27
From other sources ...	29,53	30,92	30,80	32,68	32,53	35,02
GRAND TOTAL OF EXPENDITURE.	1,06,43	1,13,43	1,18,03	1,23,52	1,24,00	1,36,17

STATEMENT OF EDUCATIONAL PROGRESS IN BENGAL.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	148,592	124,432	No change.	124,492	124,492	No change.
Population ... Male ...	27,140,616	26,674,767	26,675,026	26,124,820	27,436,187	No change.
Population ... Female ...	27,521,913	27,097,147	27,097,560	26,545,049	27,587,153	No change.
TOTAL POPULATION ...	54,662,529	53,771,914	53,772,586	52,669,869	55,023,340	...
Public Institutions for Males.						
Number of arts colleges ...	32	32	29	29	29	29
Number of high schools ...	397	397	397	396	399	398
Number of primary schools ...	33,962	33,960	34,480	35,201	35,437	36,342
Male Scholars in Public Institutions.						
In arts colleges ...	(a)5,166	5,455	4,613	7,107	8,255	9,685
In high schools ...	80,327	80,380	82,822	87,172	94,844	103,096
In primary schools ...	910,081	934,121	968,939	992,103	997,953	1,047,769
Percentage of male scholars in public institutions to male population of school-going age.	26·8	28·6	30·2	32·0	31·4	33·2
Public Institutions for Females.						
Number of arts colleges ...	2	2	2	3	3	3
Number of high schools ...	14	15	17	17	21	19
Number of primary schools ...	3,235	3,384	3,029	3,065	3,052	3,124
Female Scholars in Public Institutions.						
In arts colleges	24	38	42	47	63	91
In high schools	1,467	1,631	1,974	2,046	2,301	2,428
In primary schools ...	117,296	127,803	139,904	145,233	146,223	158,616
Percentage of female scholars in public institutions to female population of school-going age.	3·0	3·5	3·9	4·2	4·2	4·6
TOTAL SCHOLARS in public institutions. Male ...	1,090,128	1,146,567	1,208,718	1,254,914	1,290,621	1,364,946
TOTAL SCHOLARS in public institutions. Female	124,886	141,974	159,562	167,505	173,207	189,971
TOTAL ...	1,215,014	1,288,541	1,368,280	1,422,419	1,463,828	1,554,917
TOTAL SCHOLARS (both male and female) in all institutions.	1,269,038	1,338,190	1,421,369	1,475,376	1,518,239	1,609,360
Expenditure (in thousands of rupees).						
From provincial revenues ...	36,67	41,38	49,79	49,93	50,16	54,76
From local funds	10,93	11,19	11,56	11,36	11,64	11,64
From municipal funds ...	1,20	1,31	1,32	1,41	1,58	1,70
Total Expenditure from public funds.	48,80	53,88	62,67	62,70	63,38	68,10
From fees	43,43	46,31	52,71	56,19	61,02	67,88
From other sources ...	24,40	25,37	29,20	32,00	36,31	36,04
GRAND TOTAL OF EXPENDITURE.	1,16,63	1,25,56	1,44,58	1,50,89	1,60,71	1,72,02

(a) Excluding the D. U. Mission College, Hazaribagh.

STATEMENT OF EDUCATIONAL PROGRESS IN EASTERN BENGAL AND ASSAM.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	101,147	No change.	No change.	No change	111,645	No change
Population ... Male ...	15,679,409				17,706,396	
Population ... Female ...	15,108,725				16,887,966	
TOTAL POPULATION ...	30,788,134				34,594,362	
Public Institutions for Males.						
Number of arts colleges ...	11	11	11	11	10	10
Number of high schools ...	212	217	216	215	217	224
Number of primary schools ...	17,531	17,516	18,042	17,325	17,292	17,723
Male Scholars in Public Institutions.						
In arts colleges	1,197	1,394	1,329	2,034	2,418	2,989
In high schools	47,135	49,867	51,900	56,982	64,347	74,581
In primary schools ...	543,088	590,542	637,324	621,087	623,925	672,835
Percentage of male scholars in public institutions to male population of school-going age.	29·6	31·2	33·6	33·4	30·3	33·1
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	3	3	3	3	3	4
Number of primary schools ...	2,789	3,284	4,101	4,210	4,527	4,957
Female Scholars in Public Institutions.						
In arts colleges	...	...	...	...	...	...
In high schools	321	277	358	383	478	716
In primary schools ...	68,803	86,995	111,307	119,979	128,727	142,364
Percentage of female scholars in public institutions to female population of school-going age.	2·3	3·8	5·0	5·3	5·2	5·7
TOTAL SCHOLARS in public institutions. Male ...	697,004	732,843	790,178	785,146	805,311	880,500
TOTAL SCHOLARS in public institutions. Female	52,683	89,133	113,595	122,363	131,342	145,376
TOTAL ...	749,687	821,976	903,773	907,509	936,653	1,025,876
TOTAL SCHOLARS (both male and female) in all institutions.	815,599	880,631	953,123	954,883	984,213	1,075,124
Expenditure (in thousands of rupees).						
From provincial revenues ...	13,03	16,13	20,21	19,37	22,05	25,34
From local funds	11,78	13,58	14,91	13,24	13,38	14,29
From municipal funds ...	32	34	42	51	47	48
Total Expenditure from public funds.	25,13	30,05	35,54	33,12	35,90	40,11
From fees	18,52	20,05	22,10	23,44	26,67	30,15
From other sources ...	7,59	8,19	8,70	9,38	10,48	10,20
GRAND TOTAL OF EXPENDITURE.	51,24	58,29	66,34	65,94	73,05	80,46

STATEMENT OF EDUCATIONAL PROGRESS IN THE UNITED PROVINCES.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	107,164	No change.	No change.	No change.	107,164	107,257
Population — Male ...	24,616,942				24,628,344	24,641,831
Population — Female ...	23,074,840				22,565,048	22,540,213
TOTAL POPULATION ...	47,691,782				47,193,392	47,182,044
Public Institutions for Males.						
Number of arts colleges ...	25	23	24	31	31	32
Number of high schools ...	108	104	108	112	113	115
Number of primary schools ...	9,545	9,717	9,598	9,267	9,067	9,258
Male Scholars in Public Institutions.						
In arts colleges	3,030	3,424	3,519	4,150	4,180	4,602
In high schools	24,520	26,470	28,647	32,065	33,192	34,257
In primary schools ...	409,993	447,725	450,309	436,675	432,497	470,953
Percentage of male scholars in public institutions to male population of school-going age.	13·6	14·6	14·6	14·4	14·4	15·5
Public Institutions for Females.						
Number of arts colleges ...	4	4	4	4	4	5
Number of high schools ...	22	22	22	23	20	20
Number of primary schools ...	767	850	938	936	941	957
Female Scholars in Public Institutions.						
In arts colleges	38	42	38	45	51	54
In high schools	1,799	1,838	1,827	1,960	1,824	1,804
In primary schools ...	30,973	38,968	39,316	36,017	37,365	41,340
Percentage of female scholars in public institutions to female population of school-going age.	1·0	1·2	1·3	1·2	1·3	1·4
TOTAL SCHOLARS in public institutions. — Male ...	501,745	537,633	539,414	533,175	530,341	573,194
TOTAL SCHOLARS in public institutions. — Female	35,152	43,166	44,319	41,529	43,066	48,394
TOTAL ...	536,897	580,799	583,733	574,704	573,407	621,588
TOTAL SCHOLARS (both male and female) in all institutions.	606,174	654,527	658,348	647,581	645,787	712,000
Expenditure (in thousands of rupees).						
From provincial revenues ...	22,59	18,44	21,76	29,45	31,33	37,50
From local funds ...	24,72	26,81	30,25	27,69	24,74	26,54
From municipal funds ...	1,97	2,36	2,81	3,01	3,17	3,54
Total Expenditure from public funds.	49,28	47,61	54,82	60,15	59,24	67,58
From fees	13,51	14,04	15,03	17,32	18,59	20,50
From other sources ...	12,11	12,11	14,67	15,76	15,56	19,85
GRAND TOTAL OF EXPENDITURE.	74,90	73,76	84,52	93,23	93,39	107,93

STATEMENT OF EDUCATIONAL PROGRESS IN THE PUNJAB.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	97,209	No change.	97,272	No change.	97,213	No change.
Population { Male ...	10,942,705	No change.	No change.	No change.	10,992,067	No change.
Population { Female ...	9,387,634	No change.	No change.	No change.	8 982,889	No change.
TOTAL POPULATION ...	20,330,339				19,974,956	
Public Institutions for Males.						
Number of arts colleges ...	10	10	10	10	11	11
Number of high schools* ...	94	93	94	98	98	101
Number of primary schools ...	3,151	3,343	3,408	3,345	3,321	3,417
Male Scholars in Public Institutions.						
In arts colleges	1,598	1,725	1,860	2,022	2,270	2,659
In high schools*	30,781	32,043	34,971	40,895	44,893	47,740
In primary schools ...	141,345	146,290	149,542	157,946	164,081	179,410
Percentage of male scholars in public institutions to male population of school-going age.	12·8	13·3	13·8	14·9	15·6	16·9
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	12	11	12	12	15	16
Number of primary schools ...	542	586	600	602	599	637
Female Scholars in Public Institutions.						
In arts colleges	...	...	...	...	...	...
In high schools	957	929	944	1,007	1,244	1,605
In primary schools ...	20,201	21,615	22,672	26,309	26,174	29,269
Percentage of female scholars in public institutions to female population of school-going age.	1·7	1·8	1·9	2·2	2·4	2·7
TOTAL SCHOLARS in public institutions. { Male ...	210,853	218,592	226,502	245,722	257,432	279,492
TOTAL SCHOLARS in public institutions. { Female	24,042	25,679	27,282	30,995	32,186	36,675
TOTAL ...	234,895	244,271	253,784	276,717	289,618	316,167
TOTAL SCHOLARS (both male and female) in all institutions.	300,237	302,863	302,576	329,466	346,940	381,113
Expenditure (in thousands of rupees).						
From provincial revenues ...	19,69	20,78	17,66	18,61	18,63	22,79
From local funds	9,58	11,48	12,43	12,39	12,31	12,[illegible]
From municipal funds ...	2,85	2,76	3,06	3,43	4,05	3,53
Total Expenditure from public funds.	32,12	35,02	33,15	34,43	34,99	38,76
From fees	11,42	11,23	11,98	13,34	15,20	17,75
From other sources ...	8,43	10,11	10,46	10,66	10,38	12,14
GRAND TOTAL OF EXPENDITURE.	51,97	56,36	55,59	58,43	60,57	68,65

*Inclu le also vernacular h'gh schools.

STATEMENT OF EDUCATIONAL PROGRESS IN BURMA.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	219,894	No change.	236,738	No change.	236,738	230,839
Population { Male ...	5,335,484	5,342,033	No change.		6,144,301	6,183,494
Population { Female ...	5,142,024	5,148,591			5,913,604	5,931,723
TOTAL POPULATION ...	10,477,508	10,490,624			12,057,905	12,115,217
Public Institutions for Males.						
Number of arts colleges ...	2	2	2	2	2	2
Number of high schools* ...	26	29	31	35	39	36
Number of primary schools ...	4,950	5,113	5,261	5,163	4,895	4,764
Male Scholars in Public Institutions.						
In arts colleges	133	133	148	232	261	302
In high schools*	8,400	9,366	8,893	9,599	10,368	10,034
In primary schools ...	124,427	130,677	136,687	131,386	124,377	125,582
Percentage of male scholars in public institutions to male population of school-going age.	21·0	22·9	24·1	24·1	20·4	20·9
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	9	8	9	9	11	11
Number of primary schools ...	473	532	616	619	553	552
Female Scholars in Public Institutions.						
In arts colleges	2	5	7	12	17	22
In high schools	1,504	1,862	1,683	1,694	1,974	2,135
In primary schools ...	47,230	52,613	55,606	53,779	53,291	55,854
Percentage of female scholars in public institutions to female population of school-going age.	7·6	8·6	9·1	9·1	8·1	8·5
TOTAL SCHOLARS in public institutions. { Male ...	168,463	183,180	192,628	192,862	188,129	194,401
TOTAL SCHOLARS in public institutions. { Female	58,665	66,220	70,358	70,106	71,032	75,909
TOTAL ...	227,128	249,400	262,986	262,968	259,161	270,310
TOTAL SCHOLARS (both male and female) in all institutions.	398,598	423,819	433,211	433,973	429,992	445,255
Expenditure (in thousands of rupees).						
From provincial revenues ...	16,10	18,79	17,45	17,03	16,71	18,93
From local funds	2,72	3,14	3,71	4,07	4,08	4,22
From municipal funds ...	3,27	3,31	3,35	3,40	3,48	3,68
Total expenditure from public funds	22,09	25,24	24,51	24,50	24,27	26,88
From fees	9,14	9,71	10,32	13,77	14,53	15,09
From other sources ...	3,64	4,37	4,48	4,44	4,83	5,40
GRAND TOTAL OF EXPENDITURE.	34,87	39,32	39,31	42,71	43,63	47,37

* Include also vernacular high schools.

STATEMENT OF EDUCATIONAL PROGRESS IN CENTRAL PROVINCES AND BERAR.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	119,980	130,174	No change.	No change.	130,174	117,935
Population: Male ...	6,570,761	6,793,832			7,764,777	7,766,007
Population: Female ...	6.748,758	6,965,191			7,832,712	7,833,993
TOTAL POPULATION ...	13,319,519	13,759,023			15,597,489	15,600,000
Public Institutions for Males.						
Number of arts colleges ...	3	3	3	3	3	4
Number of high schools ...	30	31	34	35	35	35
Number of primary schools ...	2,645	2,777	2,892	3,019	3,094	3,195
Male Scholars in Public Institutions.						
In arts colleges	274	381	457	479	514	608
In high schools	2,025	2,305	2,657	3,059	3,236	3,102
In primary schools ...	172,496	187,387	199,526	212,857	216,750	228,255
Percentage of male scholars in public institutions to male population of school-going age.	22·1	23·2	25·4	26·2	23·1	24·2
Public Institutions for Females.						
Number of arts colleges ...	....	...	...	...	...	...
Number of high schools ...	4	4	4	4	4	5
Number of primary schools ...	257	261	287	301	301	309
Female Scholars in Public Institutions.						
In arts colleges	...	...	...	...	...	...
In high schools	34	26	20	24	23	28
In primary schools ...	17,331	20,801	23,230	26,669	26,033	27,948
Percentage of female scholars in public institutions to female population of school-going age.	1·9	2·2	2·5	2·8	2·4	2·6
TOTAL SCHOLARS in public institutions. Male...	217,550	234,859	250,602	266,850	269,062	282,257
TOTAL SCHOLARS in public institutions. Female	19,550	23,156	25,831	29,373	28,452	30,729
TOTAL	237,100	258,015	276,433	296,223	297,514	312,986
TOTAL SCHOLARS (both male and female) in all institutions.	237,439	258,308	276,700	296,305	297,620	313,205
Expenditure (in thousands of rupees).						
From provincial revenues ...	8,33	8,89	9,98	10,92	11,48	10,64
From local funds	7,88	9,19	11,74	10,65	11,05	12,08
From municipal funds ...	1,19	1,65	1,58	1,59	1,88	2,93
Total Expenditure from public funds.	17,40	19,73	23,30	23,16	24,41	25,65
From fees	1,59	1,65	1,79	1,95	2,29	2,84
From other sources ...	3,49	3,38	3,87	3,81	4,15	4,16
GRAND TOTAL OF EXPENDITURE.	22,48	24,76	28,96	28,92	30,85	32,65

STATEMENT OF EDUCATIONAL PROGRESS IN THE NORTH-WEST FRONTIER PROVINCE.

—	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	16,466	No change.	No change.	No change.	13,193	No change.
Population ... Male ...	1,159,306				1,182,102	
Population ... Female ...	966,174				1,014,831	
TOTAL POPULATION ...	2,125,480				2,196,933	
Public Institutions for Males.						
Number of arts colleges ...	1	1	1	1	1	1
Number of high schools ...	12	12	12	12	12	12
Number of primary schools ...	217	256	254	267	264	260
Male Scholars in Public Institutions.						
In arts colleges	22	22	22	19	22	33
In high schools	3,492	3,562	3,617	4,255	4,486	5,146
In primary schools ...	9,928	11,271	11,415	12,009	13,034	14,129
Percentage of male scholars in public institutions to male population of school-going age.	9·0	10·0	10·1	11·2	11·8	13·1
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	...	...	...	...	...	...
Number of primary schools ...	19	24	23	25	27	28
Female Scholars in Public Institutions.						
In arts colleges	...	...	...	...	...	...
In high schools	...	...	...	...	...	...
In primary schools ...	1,044	1,337	1,301	1,576	1,775	1,925
Percentage of female scholars in public institutions to female population of school-going age.	0·8	1·1	1·1	1·3	1·4	1·5
TOTAL SCHOLARS in public institutions. Male ...	15,735	17,323	17,630	19,589	20,919	23,236
TOTAL SCHOLARS in public institutions. Female	1,226	1,548	1,605	1,873	2,093	2,247
TOTAL ...	16,961	18,871	19,235	21,462	23,012	25,483
TOTAL SCHOLARS (both male and female) in all institutions.	29,017	29,243	28,891	30,045	31,891	34,911
Expenditure (in thousands of rupees).						
From provincial revenues ...	*53	*58	*80	*58	†1,35	99
From local funds ...	64	95	83	91	92	1,42
From municipal funds ...	42	45	55	53	61	68
Total Expenditure from public funds	1,59	1,98	2,18	2,02	2,88	3,09
From fees	40	40	40	45	47	56
From other sources ...	39	32	61	65	53	63
GRAND TOTAL OF EXPENDITURE.	2,38	2,70	3,19	3,12	3,88	4,28

*Imperial Revenues.

†Including Rs. 58,215 from Imperial Revenues.

STATEMENT OF EDUCATIONAL PROGRESS IN COORG.

	1906-07	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.
Area in square miles ...	1,582					1,582
Population ... Male ...	100,258	No change.	No change ..	No change ...	No change	97,279
Population ... Female ...	80,349					77,697
TOTAL POPULATION ...	180,607					174,976
Public Institutions for Males.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	1	1	1	1	1	1
Number of primary schools ...	82	81	82	82	81	80
Male Scholars in Public Institutions.						
In arts colleges	...	...	...	...	...	...
In high schools	294	298	288	240	226	206
In primary schools ...	2,852	2,929	3,427	3,688	3,721	3,970
Percentage of male scholars in public institutions to male population of school-going age.	21·9	22·5	25·7	27·2	27·2	29·7
Public Institutions for Females.						
Number of arts colleges ...	...	...	...	...	...	...
Number of high schools ...	...	...	...	...	...	...
Number of primary schools ...	5	5	5	5	6	6
Female Scholars in Public Institutions.						
In arts colleges	...	...	...	...	...	...
In high schools	7	8	8	2	2	1
In primary schools ...	1,045	1,143	1,421	1,588	1,721	1,773
Percentage of female scholars in public institutions to female population of school-going age.	8·8	9·6	12·0	13·6	15·0	16·0
TOTAL SCHOLARS in public institutions. Male	3,292	3,380	3,869	4,087	4,099	4,342
TOTAL SCHOLARS in public institutions. Female	1,063	1,163	1,447	1,644	1,811	1,861
TOTAL ...	4,355	4,543	5,316	5,731	5,910	6,203
TOTAL SCHOLARS (both male and female) in all institutions).	4,865	5,004	5,792	6,335	6,640	6,811
Expenditure (in thousands of rupees.)						
From provincial revenues ...	22	24	26	30	61	39
From local funds ...	11	11	11	12	12	13
From municipal funds ...	1	1	1	1	1	2
TOTAL Expenditure from public funds.	34	36	38	43	74	54
From fees	12	12	12	12	12	13
From other sources ...	3	3	3	5	6	6
GRAND TOTAL OF EXPENDITURE	49	51	53	60	92	73

H. SHARP,

Joint Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Simla, the 25th March 1913.

Mr. R. N. Parker, F.C.H., Deputy Conservator of Forests, Punjab, is appointed, until further orders, Forest Botanist at the Forest Research Institute and College in place of Mr. Hole.

E. D. MACLAGAN,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Delhi, the 28th March 1913.

No. 851 *D.*—Whereas the Governor General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said Schedule (including the lands occupied by stations, by out-buildings and for other railway purposes) and over all persons and things whatsoever within the said lands:—

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, and in supersession of so much of the notification of the Government of India in the Foreign Department, No. 3573-I., dated the 29th October 1895, as subsequently amended, as applied to lands occupied by railways in the Punjab, the Governor General in Council is pleased to make the sub-joined rules relating to arms, ammunition and military stores within the said lands:—

Interpretation.

1. In these rules "arms," "ammunition," and "military stores," have respectively the meanings assigned to them in the Indian Arms Act, 1878 (XI of 1878), except that the expression "military stores" includes sulphur when in quantities exceeding ten seers in weight and leaden bird-shot and bullets when possessed in quantities exceeding one hundredweight at any one time.

"Export" means transmission by rail from any station in any of the said lands to any station beyond the said lands.

"Import" means transmission by rail from any station beyond the said lands to any station within the said lands.

"Transport" means transmission by rail from one station in the said lands to another station in the said lands.

Explanation.—Arms, ammunition and military stores taken from one station to another in the said lands across intervening territory which is not within the said lands are transported within the meaning of these rules.

Export.

2. (1) The export, without the special permission of the Political Agent, of arms, ammunition, or military stores is forbidden.

(2) Station Masters to whom arms, ammunition or military stores unaccompanied by evidence of such special permission are tendered for despatch, shall detain them and report the matter through the Superintendent of Railway Police for the orders of the Political Agent.

Import.

3. (1) When any arms, ammunition, or military stores are imported they shall not be delivered to the importer, or consignee unless—

(*i*) the importer or consignee produces the original license issued by the Secretary to the Government of India in the Foreign Department or other competent authority, authorising the export of such arms, ammunition, or military stores from British India and their import to some station within the lands above referred to, and

(ii) the senior police-officer at the station at which the arms, ammunition, or military stores have been received has compared the consignment with the license and authorized the Station Master to make delivrey.

For the purpose of making the comparison required by clause (ii), the police-officer shall have power to open any package which he thinks suspicious.

(2) If the importer or consignee fails to produce the original license, or if the consignment does not correspond therewith, the senior police-officer at the station shall report the matter forthwith to the Political Agent.

Information to be given by Station Masters.

4. Every Station Master shall give information to the senior police-officer at his station of the arrival of any consignment of imported arms, ammunition or military stores.

Re-booking of consignment.

5. A Station Master at whose station a consignment of imported arms, ammunition or military stores is received may, after obtaining the sanction of the Superintendent of Railway Police but not otherwise, forward the consignment should the owner or consignee desire him to do so, to any other station within or beyond the lands above referred to.

Transport.

6. No license shall be necessary in respect of the transport of arms, ammunition or military stores, but immediate information of any such transport shall be given to the senior police-officers at the stations of despatch and receipt by the Station Masters concerned.

Carrying of arms by passengers.

7. Arms shall not in ordinary cases be taken from passangers. But if a Station Master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger, he may at any time before such passenger has taken his place in the train, but not afterwards, refuse to carry him unless he delivers up his arms: if the passenger gives up his arms, they shall be labelled with his name and description, entered in the roadway bill, and delivered free of charge to him at his journey's end:

Provided that no person who has been duly exempted from the operation of sections 13—16 of the Indian Arms Act (XI of 1878), or has a license to carry arms granted by competent authority, shall, except in the case of evident and undoubted necessity, be required to give up his personal arms under this rule.

Obligation to give information.

8. Every person employed upon the Railway shall in the absence of reasonable excuse, the burden of proving which shall be upon him, be bound to give information to the nearest police-officer regarding any box, packet or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against these rules has been, or is being, committed.

Penalties.

9. (1) Whoever commits any of the following offences, namely :—

(a) exports any arms, ammunition or military stores without obtaining the special permission of the Political Agent as required by rule 2,

(b) imports any arms, ammunition or military stores without a license of the nature referred to in rule 3,

shall be punished with imprisonment for a term which may extend to three years, or with fine or with both.

(2) Whoever commits any of the following offences, namely :—

(a) imports any arms, ammunition or military stores in excess of the quantities entered in the license referred to in rule 3,

(b) imports after the expiration of the period for which such license has been granted,

(c) omits to give information as required by rule 8,

shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees, or with both

Power to confiscate.

10. When any person is convicted of an offence under the last preceding rule, it shall be in the discretion of the convicting Magistrate further to direct that the whole or any portion of the arms, ammunition or military stores in respect of which the conviction is obtained, and any box, package, or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

11. (*1*) Whenever any Magistrate has reason to believe that arms, ammunition or military stores have been imported contrary to these rules, such Magistrate, having first recorded the grounds of his belief, may seize and detain the same in safe custody for such time as he may think necessary.

Search and seizure by Magistrate.

(2) In such cases notice calling upon the importer or consignee to appear and to produce the license referred in rule 3 shall be published for three months at the railway station at which the arms, ammunition or military stores have been seized, and at such other places as the Magistrate may think necessary.

(3) If the importer or consignee does not appear and produce such license within three years from the date of such notice, such arms, ammunition or military stores shall be confiscated.

12. The orders of the Political Agent shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final.

Disposal of confiscated articles.

13. (*1*) A Magistrate may award up to one-half the amount of any fine inflicted under these rules, and up to one-half the sale price of any confiscated articles sold in pursuance of orders issued under these rules, to any person whether in the employ of a Railway Company or not, who has given information leading to a conviction.

Rewards.

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent.

14. Nothing in the foregoing rules shall apply to the import of any arms, ammunition, or military stores when the same are covered by a certificate granted by the officer in charge of an arsenal in British India stating that they are consigned to the Ruler of a State mentioned in the second column of the schedule hereto annexed.

Savings.

SCHEDULE.

Railways.	States.
1. The Rajputana-Malwa Railway—	
Rewari-Phulera Chord	Nabha. Patiala.
2. The Jodhpur-Bikaner Railway	Patiala.
3. The Kalka-Simla Railway	Patiala. Baghat. Keonthal.
4. The Ludhiana-Dhuri-Jakhal Railway	Maler Kotla. Patiala. Nabha. Jind.
5. The Rajpura-Bhatinda Railway	Patiala. Nabha.
6. The Southern Punjab Railway—	
Main Line	Patiala. Jind.
Narwana-Kaithal Branch	Patiala.

A. H. McMAHON,

Secretary to the Government of India

ARMY DEPARTMENT.

Delhi, the 24th March 1913.

CANTONMENTS.

REGULATIONS.

No. 282.—In exercise of the powers conferred by section 24 of the Cantonments Act, 1910 (XV of 1910), the Governor-General in Council is pleased to amend the Cantonment Code, 1912, to the extent set forth below :—

At the end of section 21 the following shall be inserted :—

" *Exception.*—In the case of the conservancy establishments of Indian units the powers detailed in the two foregoing sections shall be exercised by the Officers Commanding such units. "

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

TARIFF VALUATION OF SUGAR.

The following statement shows in respect of each of the descriptions of sugar distinguished in the Tariff Schedule IV (excepting molasses and all other kinds of sugar), *firstly,* the total imports into India in the month of February, 1913, and the average value per cwt. as calculated on the returns received from the Customs Houses; and, *secondly,* a running total showing the total imports into India since the beginning of the year (1st October to 30th September) and the average net value per cwt. so far established. It is published in conformity with the procedure laid down in Customs Circular No. V of 1911 in order to enable merchants to compute the probable rate of duty for the year 1914 :—

Description of sugar.	Imported during the month of February, 1913.		Imported since 1st October, 1912.	
	Quantity.	Average net value per cwt.	Quantity.	Average net value per cwt.
	Cwt.	Rs. a.	Cwt.	Rs. a.
Sugar, crystallised, beet	340,525	9 8	725,057	9 12
" and soft, refined in China... ...	26	15 4	9,864	11 0
" " from Java, 23 Dutch Standard and above.	305,633	9 12	2,673,835	9 12
" " from Java, 16 to 22 Dutch Standard.	83,562	9 8	1,405,907	9 0
" " from Java, 15 Dutch Standard and under.	...	...	45,054	8 12
" " from Mauritius equal to 16 Dutch Standard and over.	273,569	9 4	1,716,998	9 4

FREDERICK NOËL-PATON,
Director-General of Commercial Intelligence.

R. E. ENTHOVEN,
Secretary to the Government of India.

CALCUTTA;
The 25th March 1913.

Punjab Government Press, Lahore—4-4-13—7—850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, APRIL 11, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED APRIL 5, 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 3rd April 1913.

No. 521.—The services of Mr. G. Worsley, of the Indian Civil Service, are placed temporarily at the disposal of the Chief Commissioner of Delhi with effect from the 4th April 1913.

PUBLIC.

The 4th April 1913.

No. 430.—Under the provisions of section 9 of the Statute 24 & 25 Vict., Cap. 67, the Governor-General in Council is pleased to direct that His Excellency's Council shall assemble at Simla in the jurisdiction of the Lieutenant-Governor of the Punjab.

W. S. MARRIS,

Offg. Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 31st March 1913.

No. 648-*I.B.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf and in supersession of all previous orders to that effect, the Governor-General in Council is pleased to appoint the officers named in the first column of the Schedule hereto annexed to exercise

the powers of a Political Agent for the purposes of the Indian Extradition Act, 1903 (XV of 1903) for the States mentioned in the corresponding entries in the second column.

SCHEDULE.

The Commissioner, Ambala Division ...	Dujana.		
	Kalsia.		
	Loharu.		
	Pataudi.		
	Sirmur (Nahan).		
The Commissioner, Jullandur Division ...	Faridkot.		
	Kapurthala.		
	Maler Kotla.		
	Mandi.		
	Suket.		
The Commissioner, Lahore Division ...	Chamba.		
The Superintendent, Simla Hill States ...	Baghal	...	Keonthal.
	Baghat	...	Kothar.
	Balsan	...	Koti.
	Bashahr	...	Kumharsain.
	Bhajji	...	Kunihar.
	Bija	...	Madhan.
	Bilaspur	...	Mailog.
	Darkuti	...	Mangal.
	Delath	...	Nalagarh (Hindur).
	Dhadi	...	Ratesh.
	Dhami	...	Rawin.
	Ghund	...	Sangri.
	Jubbal	...	Taroch.
	Kanethi	...	Theog.

No. 649-*I.B.*—In exercise of the powers conferred by the Indian Foreign Jurisdiction Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to direct that the following further amendments shall be made in the schedule to the notification of the Government of India in the Foreign Department No. 639-1.A., dated the 14th February 1902, as amended by the like notification No. 1523 I.A., dated the 22nd April 1904, appointing certain officers to be Justices of the Peace within the States in the Punjab, namely :

For the words " Delhi Division " and " Dalti," respectively, the words " Ambala Division " and " Delath " shall be substituted.

The 3rd *April* 1913.

No. 688 *I. B.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and by sections 29 and 44 of the Code of Civil Procedure, 1908 (V of 1908) and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to direct that in the notifications of the Government of India in the Foreign Department :—

No. 4051 I. A., dated the 18th September 1902,

No. 2877 I. A., dated the 13th July 1906,

No. 2053 I. B., dated the 22nd September 1911, and

No. 2444 I. B., dated the 26th November 1912.

which provide, respectively, for the service and execution of summonses and decrees of Courts in Native States by Courts in British India and by Courts established or continued by the Governor-General in Council and for the execution of decrees of Courts in British India by Courts in Native States, all references to the Court of Small Causes of Vadi in the Savantvadi State shall be omitted.

A. H. McMAHON,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

ECCLESIASTICAL.

Simla, the 4th April 1913.

No. 138.—The Reverend Arthur Betton Roberts has been appointed to be a chaplain on probation on the Bengal (Lahore) Ecclesiastical Establishment to fill an existing vacancy.

L. C. PORTER,
Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 4th April 1913.

LONDON GAZETTE.

No. 290.—The following extracts are published for general information :—

"*London Gazette,*" *dated the* 14*th March* 1913, *pages* 1961, 1962, 1965. 1966 *and* 1967.

* * * * * * * *

India Office,
March 14, 1913.

The KING has approved of the promotion of the following officers of the Indian Army, Indian Medical Service and Indian Army Departments :—

* * * * * * * *

INDIAN MEDICAL SERVICE.

Majors to be Lieutenant-Colonels.

Dated 30th January 1913.

* * * * * * * *

Richard Heard, M.B.

* * * * * * * *

Paxton St. Clair More, M.B.

* * * * * * * *

Captains to be Majors.

Dated 27th December 1912.

* * * * * * * *

Charles Edward Southon, M.B.

* * * * * * * *

Dated 29th January 1913.

* * * * * * * *

Robert McLauchlan Dalziel, M.B.

* * * * * * * *

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

Punjab Government Press, Lahore—11-4-13—82—850.

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PUNJAB AND ITS DEPENDENCIES.

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PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA" 12TH APRIL 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 10th April 1913.

No. 657.—The services of Mr. J. F. Mitchell, of the Indian Civil Service, are replaced at the disposal of the Government of the Punjab, with effect from the 10th February 1913.

MEDICAL.

The 9th April 1913.

No. 147.—The services of Assistant Surgeon S. N. Mozamdar of the Punjab Provincial Medical establishment are placed at the disposal of the Chief Commissioner, Delhi, with effect from the date on which he assumed charge of his duties at Delhi.

W. S. MARRIS,

Offg. Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 9th April 1913.

No. 784 *I. B.*—Whereas the Governor-General in Council has within the lands lying within the States of Bhavnagar, Gondal, Junagarh, Baroda, Chuda, Vala, Lathi, Jetpur, Bantva, and Kotda Pitha, which have been assigned for the purposes of the Bhavnagar Railway, the Dhasa-Dhoraji section of the Gondal-Porbandar Railway and the Junagarh Railway, respectively, the jurisdiction necessary for the administration of the said railways:

And whereas the Governor-General in Council has full and exclusive jurisdiction of every kind over all the other lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations and out-buildings and for other railway purposes) and over all persons and things whatsoever within the said lands :

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf the Governor-General in Council is pleased to apply to the said lands the provisions of the Indian Railways Act, 1890 (IX of 1890), and of the Indian Railway Board Act, 1905 (IV of 1905), in so far as the same may be applicable and subject to any amendments to which those Acts are for the time being subject in British India :

Provided that in the Indian Railways Act, 1890, as so applied, references to a Local Government shall be read as referring to the Governments and Authorities mentioned in the third column of the said schedule in respect to the railway lands specified in the corresponding entries in the first and second columns : and references to the Magistrate of the district as referring to the officer exercising within the railway lands in question the powers of a District Magistrate as described in the Code of Criminal Procedure, 1898.

II. In exercise of the powers conferred by sections 16, 47, 84, 85, 135 and 144, read with section 148, sub-section (1), of the Indian Railways Act, 1890, as so applied, the Governor-General in Council is pleased to issue the followings orders :—

1. The use of locomotive engines or other motive power and rolling stock to be drawn or propelled thereby is sanctioned on all the said railways.

2. The General Rules for working open lines of railway administered by the Government which were published in the notification of the Railway Board, No. 183, dated the 8th September 1906, shall apply to such of the said railways as are used for the public carriage of passengers, animals or goods, subject to any amendments to which the said Rules are for the time being subject in British India.

Provided that the Rules shall further be subject—

(a) in the case of any such railway not administered by the Government, which lies partly in British India or is comprised in a railway system having some portion in British India, to any modifications in force for the time being on the said part or portion in British India, and

(b) in the case of the Dhrangadhra, Gondal-Porbandar, Jamnagar, Jetalsar-Rajkot, Junagarh and Morvi Railways, to any modifications in force for the time being on the Bhavnagar Railway, unless otherwise directed.

3. The General Rules for working railways under construction and not open for traffic, which were published in the notification of the Railway Board No. 114, dated the 6th July 1912, shall apply to such portions of the said railways as are for the time being under construction or are sanctioned for construction, subject to any amendments to which the said Rules are for the time being subject in British India.

4. The Rules regarding notices of, enquiries into, and returns of accidents, published in the notifications of the Government of India in the Public Works Department (Railway), No. 81, dated the 7th March 1902, and No. 301, dated the 27th August 1902, shall apply to all the said railways, subject to any amendments to which the said Rules are for the time being subject in British India.

5. To the extent and subject to the conditions hereinafter specified the following powers and functions which are vested in the Governor-General in Council under the Indian Railways Act, 1890, as applied, are hereby delegated to the Local Governments aforesaid : the powers and functions so delegated being liable to be revoked or varied, and the exercise and discharge thereof to be controlled, as the Governor-General in Council may from time to time think fit—

(1) *Sections* 7, 9 *and* 11.—All the powers and functions of the Governor-General in Council, subject to the proviso that the exercise and discharge of such powers and functions shall not entail any expenditure in excess of the general power of sanction of the Local Government concerned.

(2) *Section* 48.—All the powers and functions of the Governor-General in Council, but only in cases where the railways concerned are under the control of one and the same Local Government.

(3) *Section* 51, *clauses* (*a*), (*b*), (*c*), (*d*) *and* (*e*) *and section* 55.—All the powers and functions of the Governor-General in Council.

(4) *Section* 63.—The power of determining the vernacular languages in which the maximum number of passengers to be carried in each compartment shall be exhibited.

(5) *Section* 83.—The power of notifying the Magistrates and Police-officers to whom notices of railway accidents are to be given.

6. The following notifications of the Government of India in the Foreign Department are hereby cancelled to the extent noted against each :—

No. 3524-I., dated the 5th September 1889 ...	So much as related to the sections of the Bhavnagar-Gondal Railway from Dhola to Bhavnagar and from Dhola to Dhasa, and the Jetalsar-Verawal and Dhoraji-Porbandar extensions.
No. 1332-I., dated the 23rd March 1891 ...	Paragraph 2.
No. 3387-I B., dated the 31st October 1896 ...	The whole.
No. 1097-F., dated the 24th March 1905 ...	So much as applied the Indian Railway Board Act, 1905, to these lands.
No. 534-I.B., dated the 8th February 1907, as subsequently amended.	The whole.

SCHEDULE.

Railway.		State.	Local Government.
	Rajputana-Malwa Railway:		
	Main Line.		
* * *	* * *	* * *	* * *
		Nabha	The Government of the Punjab.
		Pataudi	
* * *	* * *	* * *	* * *
	Rewari Bhatinda-Fazilka Section.	Dujana	The Government of the Punjab.
		Jind	
		Pataila	
		Faridkot	
		Nabha	
	Rewari-Phulera Chord ...	Nabha	The Government of the Punjab.
		Patiala	
* * *	* * *	* * *	* * *
East Indian Railway system ...	Delhi Ambala-Kalka Railway :		
	Ambala-Kalka ...	Patiala	The Government of the Punjab.
		Kalsia	
* * *	* * *	* * *	* * *
Jodhpur-Bikaner Railway system	Jodhpur-Bikaner Railway :		
	Bhatinda-Bikaner Frontier.	Patiala	The Government of the Punjab.
* * *	* * *	* * *	* * *

Railway.		State.	Local Government.
North-Western Railway system	North-Western Railway : *Main Line.*		
	Ambala-Amritsar ...	Patiala	The Government of the Punjab.
		Nabha	
		Kapurthala ...	
	Kotri-Rohri Branch ...	Khairpur	The Government Bombay.
	Raewind-Bhatinda Branch.	Faridkot	The Government of the Punjab.
		Nabha	
		Patiala	
	Jammu-Kashmir Section.		
	Sialkot-Jammu ...	Jammu	The Government of the Punjab.
	Kalka-Simla Railway ...	Patiala	The Government of the Punjab.
		Baghat	
		Keonthal	
	Ludhiana-Dhuri-Jakhal Railway.	Malerkotla	The Government of the Punjab.
		Patiala	
		Nabha	
		Jind	
	Rajpura-Bhatinda Railway.	Patiala	The Government of the Punjab.
		Nabha	
	Southern Punjab Railway : *Main Line.*		
	Rohtak-Bhatinda-Samasata.	Jind	The Government of the Punjab.
		Patiala	
		Bikaner	
		Bahawalpur ...	
	Ludhiana Extension.		
	McLeodganj-Fazilka ...	Bahawalpur ...	The Government of the Punjab.
	Narwana-Kaithal Branch	Patiala	The Government of the Punjab,
* * *	* * *	* * *	* * *

A. H. McMAHON,
Secretary to the Government of India.

DIRECTOR-GENERAL, INDIAN MEDICAL SERVICE.

NOTIFICATION.

Simla, the 3rd April 1913.

No. 49.—Fourth Class Assistant Surgeon A. W. Carleton, I.S.M.D., is appointed House Surgeon, Walker Hospital, Simla, with effect from the 4th February 1913.

B. G. SETON, Lieut.-Colonel, I.M.S.,
for *Director-General, Indian Medical Service.*

Punjab Government Press, Lahore—18-4-13—137—850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, APRIL 25, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA" DATED 19TH APRIL 1918.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 15th April, 1913.

No. 1338-*M*.—His Excellency the Viceroy and Governor General will leave Dehra Dun by Special train to-day and will arrive at Simla on Wednesday, the 16th April 1913. His Excellency's departure from Dehra Dun and arrival at Simla will be private.

A Viceregal Salute will be fired on the occasion of His Excellency's departure from Dehra Dun and arrival at Simla.

The party accompanying His Excellency will be :—

Her Excellency the Lady Hardinge.

Lieutenant-Colonel Sir A. H. McMahon, G.C.V.O., K.C.I.E., C.S.I., Foreign Secretary.

Sir James DuBoulay, K.C.I.E, Private Secretary.

Captain J. J. Astor, A.-D.-C.

By Command,

H. FRASER, MAJOR,

for *Military Secretary to the Viceroy.*

HOME DEPARTMENT.

NOTIFICATION.

JUDICIAL.

Simla, 8th April, 1913.

No. 238.—In exercise of the power conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Governor General in Council is pleased to direct that the following amendment shall be made in the Indian Arms Rules, 1909, namely :—

In schedule I, after entry (5), the following shall be inserted as entry (5-A), namely :—

"(5-A) Every retired Indian Officer of the Supply and Transport Corps reserve."	The sword issued free to him by Government, prior to his retirement.	...	Those contained in sections 13, 15 and 16."

W. S. MARRIS,

Offg. Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 15th April, 1913.

No. 19.—The services of the undermentioned officers of the Public Works Department in the Punjab are placed at the disposal of the Chief Commissioner, Delhi, with effect from the dates they respectively report themselves for duty at Delhi :—

Mr. J. L. Sale, Assistant Engineer.

Mr. H. J. Glenn, Assistant Engineer.

R. P. RUSSELL,

Off. Secretary to the Government of India.

Punjab Government Press, Lahore—25-4-13—210—850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MAY 2, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED APRIL 26TH, 1913.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 25th April 1913.

No. 1461 *M.*—His Excellency the Viceroy and Governor-General will hold a **Levée** at Viceregal Lodge, Simla, at 9-30 P.M. on Thursday, the 29th May 1913.

The following rules are published for general information :—

I.—The undermentioned are eligible for presentation at His Excellency's Levée, whether European or Indian :—

(*a*) All gentlemen who have been presented at the Court of St. James, or at the Viceregal Court.

(*b*) All Ruling Chiefs.

(*c*) All Commissioned Officers in the Civil, Naval, Military (British and Indian), Marine and Volunteer Services.

(*d*) All Gazetted Officers of the 1st class in Government employ.

(*e*) All gentlemen who have received titles of honour from His Majesty the King Emperor, or His Excellency the Viceroy.

II.—Gentlemen, whether European or Indian, who desire to attend the Levée and are eligible to do so by previous presentation at the Court of St. James or at the Viceregal Court are requested to make their applications to the Military Secretary to the Viceroy, Simla, stating where presented, *not later than the 22nd May* after which date no applications can be received. Gentlemen who have not been presented at the Court of St. James or at the Viceregal Court, but who desire to attend the Levée, will be presented by gentlemen who have had the honour of presentation at the Court of St. James or at the Viceregal Court, and will submit their applications through them.

NOTE.—*No applications can be received direct by the Military Secretary to the Viceroy from gentlemen who wish to be presented. Their names must be forwarded by the gentlemen who wish to make the presentation.*

III.—Gentlemen who propose, and are entitled to present others, should apply to the Military Secretary to the Viceroy for a form of presentation which, after the necessary particulars have been entered, will be returned to the Military Secretary's Office, *not later than the 19th May*, for submission to His Excellency the Viceroy, when, if approved, tickets of admission will be issued to the presentor.

IV.—Gentlemen who present others must themselves attend the Levée.

V.—In the case of all Government officials or gentlemen engaged in business, the presentor should ordinarily be the head of the Department or Firm.

VI.—Applications for presentation, submitted on behalf of non-official gentlemen, whether European or Indian, will, as a general rule, be referred to the Local Authorities by the Military Secretary to the Viceroy. Only those who are declared eligible on account of their social status, will be permitted to attend.

VII.—Gentlemen who are entitled *ex-officio* to attend Provincial Durbars, may be presented to His Excellency the Viceroy by the heads of their departments. This will not confer upon them the privilege of attending Levées after they have ceased to hold the position which made them eligible for presentation, nor will it entitle them to present other gentlemen.

VIII.—Admission to Viceregal Lodge will be by ticket only and gentlemen receiving tickets will show them first to the police at the gates and secondly will hand them to the Military Secretary to His Excelleney the Viceroy in the Levée Room.

Gentlemen who enjoy the privilege of the private entrée need not apply for tickets but will merely signify their intention of being present and will bring with them their own cards on which their names should be very clearly hand-printed.

IX.—Dress:—

(*a*) Civil and Military Officers—Levée dress (helmets will not be taken to the Levée).

(*b*) Clergymen being University graduates and other gentlemen entitled to wear robes or gowns on account of Judicial or Academical office or status and not entitled to wear uniform, will appear in such robes or gowns.

(*c*) Gentlemen not entitled to wear uniform, or robes or gowns, will appear in evening dress.

(*d*) Indian gentlemen who do not appear in the dress prescribed above, will wear Choga, Aba or Jubba and Chapkan, Chilta, Saya or Kaba with trousers and their distinctive national head dress, or the ceremonial dress approved for the class by the Local Government.

(*e*) In the case of Bengali gentlemen the head dress should be a Pugree generally known as Shamla or Mouratta, and not a brimless cap.

(*f*) In the case of Burmese gentlemen the head dress should be a white fillet, the heir being dressed in a top knot.

(*g*) Indian gentlemen who do not appear in the dress prescribed in (*a*), (*b*) or (*c*) should not remove their head dress when they pass His Excellency.

At the Viceregal Court only patent leather boots or shoes of an English pattern are allowed to be worn, except in the case of Indian Military officers who wear the particular style of boot or shoe which forms part of their uniform.

NOTE.—*Gentlemen who had intended to be present, but have found themselves unable to do so, should submit an explanatory letter to the Military Secretary to the Viceroy before, or as soon as possible after, the Levée.*

By Command,

F. LEE, LIEUT.-COL.,

Offg. Military Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATION.

MEDICAL.

Simla the 25th April, 1913.

No. 190.—Lieutenant-Colonel C. H. James, C.I.E., F.R C.S., I.M.S., Officiating Civil Surgeon, Simla (West), was on privilege leave from the 23rd January to the 19th February 1913, both days inclusive.

2. The Home Department notification No. 1117 C., dated the 14th February 1913 is hereby cancelled.

W. S. MARRIS,
Offg. Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 23rd April, 1913.

No 929 *I.-B.*—The Governor-General in Council is pleased to declare that summonses issued by Courts in British India under the Code of Civil Procedure, 1908 (V of 1908), may be served by any of the undermentioned Civil and Revenue Courts of the Benares State, namely:

1. Chief Judge's Court, Ramnagar.
2. Collector's Court, Gyanpur.
3. Collector's Court, Chakia.
4. Judge's Court, Gyanpur.
5. Civil Judge's Court, Chakia.
6. Assistant Collector's Court, Gyanpur.
7. Assistant Collector's Court, Chakia.
8. Deputy Collector's Court, Bhadohi district, Gyanpur.
9. Special Magistrate's Court, Ramnagar.

A. H. McMAHON,
Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

POST OFFICE.

Simla, the 26th April, 1913.

No. 2883-45.—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), as amended by the Indian Post Office (Amendment) Act, 1912 (III of 1912), and in supersession of all previous notifications under that Act (hereinafter referred to as "the Act"), the Governor-General in Council is pleased to issue the following rules and orders :—

PART I.—RATES OF POSTAGE.

I.—Inland postal articles.

1. The following rates of postage shall be chargeable on postal articles where the postage is prepaid :—

Letters.

For a letter not exceeding one tola in weight ...	Half an anna.
For a letter exceeding one tola but not exceeding ten tolas in weight	One anna.
For every additional ten tolas or part of that weight ...	One anna

Postcards.

For a single postcard	One-quarter of an anna.
For a reply postcard	Half an anna, that is, one-quarter of an anna for each portion of the reply post-card.

Book, pattern and sample packets.

For every ten tolas or part of that weight ...	Half an anna.

Registered newspapers.

For a newspaper not exceeding eight tolas in weight ...	One-quarter of an anna.
For a newspaper exceeding eight tolas but not exceeding forty tolas in weight	Half an anna.
For every additional forty tolas or part of that weight ...	Half an anna.

Parcels.

(*a*) *Parcels not exceeding 440 tolas in weight*—

For a parcel not exceeding forty tolas in weight ...	Two annas.
For every additional forty tolas or part of that weight...	Two annas.

(*b*) *Parcels exceeding 440 tolas in weight*—

For a parcel exceeding 440 tolas but not exceeding 480 tolas in weight	Three rupees.
For every additional forty tolas or part of that weight ..	Four annas.

NOTE—The expression "Inland" shall not apply to postal articles other than parcels and official articles when—

(i) posted in British India and addressed to any of the undermentioned places for which post offices have been established by the Governor-General in Council beyond the limits of British India, namely :—

(1) Bagdad.
(2) Bandar-Abas.
(3) Busrah.
(4) Bushire.
(5) Jask.
(6) Linga.
(7) Mohammerah.

(ii) posted at any of the post offices established by the Governor-General in Council at those places and addressed to any other of those places or to any place in British India.

On such articles the following rates of postage shall be chargeable when the postage is prepaid :—

Letters.

For a letter not exceeding one ounce in weight ...	Two-and-a-half annas.
For every additional ounce or part of that weight ...	One-and-a-half annas.

Postcards.

For a single postcard	One anna.
For a reply postcard	Two annas.

Printed papers (including news papers and books).

For a packet not exceeding two ounces in weight ...	Half an anna.
For every additional two ounces or part of that weight ...	Half an anna.

Business papers (legal and commercial documents).

or a packet not exceeding ten ounces in weight ...	Two-and-a-half annas.
For every additional two ounces or part of that weight ...	Half an annas.

Samples.

For a packet not exceeding four ounces in weight ...	One anna.
For every additional two ounces or part of that weight ...	Half an anna.

2 The following rates of postage shall be chargeable on the delivery of postal articles where the postage is not prepaid or is insufficiently prepaid:—

On an unpaid letter or packet .. ... Double the prepaid rate.

On an insufficiently paid letter or packet ... Double the deficiency.

II.—Foreign postal articles.

3. The following are declared to be the rates of postage chargeable on postal articles where the postage is prepaid: —

Letters.

For the United Kingdom and the following British Possessions and Protectorates:—

Antigua.

Ascension.

Australia [including the states of New South Wales, Queensland, South Australia, Tasmania, Victoria and Western Australia; also Papua (British New Guinea), and Norfolk Island].

Bahamas.

Barbados.

Basutoland.

Bechuanaland Protectorate.

Bermuda.

British Bechuanaland.

British East Africa and Uganda.

British Guiana.

British Honduras.

British North Borneo.

British Somaliland.

Brunei.

Canada.

Cayman Islands.

Cyprus.

Dominica.

Falkland Islands.

Fiji.

Friendly (or Tonga) Islands.

Gambia.

Gibralter.

Gilbert Islands.

Gold Coast.

Grenada.

Hong Kong [with agencies at Shanghai, Liu Kung Tau (Wei-Hei-Wei), Hankow, Ningpo, Foochow Amoy, Swato, Tientsin, Canton Chefoo and Hoihow].

Jamaica.

Malay States Federated (*viz.*, Negri Sembilan, Pahang, Perak, and Selangor).

Malay States of Johore, Kedha, Kelantan Perlis, and Trengganu.

Malta.

Mauritius

Montserrat.

Morocco, British Post Office Agencies in—

Nevis.

Newfoundland.

New Hebrides (including the Banks and Torres Islands).

New Zealand [including Cook or Harvey Islands, Suwarrow Islands, Fanning Islands, and the Islands of Palmerston (*Avaura*), Savage (*Niue*), Danger (*Pukapuka*), Rakaanga, Manahiki, and Penrhyn (*Tongareva*)].

Nigeria Northern), including Borgu, Idda, and Lakoja.

Nigeria (Southern), including Akasa, Asaba, Benin, Bonny, Brass, Burutu, Calabar (New and Old), Forcados, Onitsha, Opobo, and Warree.

Nyasaland Protectorate (British Central Africa).

Rhodesia.

Serawak.

St. Helena.

St. Kitts.

St Lucia.

St. Vincent.

Seychelles.

Sierra Leone.

Solomon Islands.

South Africa, Union of (comprising the Provinces of Cape of Good Hope, Natal, Orange Free State, and Transvaal).

Straits Settlements.

Tortola.

Trinidad and Tobago.

Tristan d'Acunha.

Turks and Caicos Islands.

Zanzibar.

***For Egypt** (**including the Sudan**)—*

For a letter not exceeding one ounce in weight ... One anna.

For every additional ounce or part of that weight ... One anna.

For any other part of the world served by the Foreign Post with the exception of Ceylon and Portuguese India—

For a letter not exceeding one ounce in weight ...	Two-and-a-half annas.
For every additional ounce or part of that weight ...	One-and-a-half annas.
For Ceylon	Indian inland rates.
For Portuguese India	Indian inland rates.

Postcards.

For any part of the world served by the Foreign Post with the exception of Ceylon and Portuguese India—

For a single postcard	One anna.
For a reply postcard	Two anna.
For Ceylon	Indian inland rates.
For Portuguese India	Indian inland rates.

Printed papers (including newspapers and books).

For any part of the world served by the Foreign Post with the exception of Ceylon and Portuguese India—

For a packet not exceeding two ounces in weight ...	Half an anna.
For every additional two ounces or part of that weight ...	Half an anna.
For Ceylon	Indian inland rates.
For Portuguese India	Indian inland rates.

Business papers (legal and commercial documents).

For any part of the world served by the Foreign Post with the exception of Ceylon and Portuguese India—

For a packet not exceeding ten ounces in weight ...	Two-and-a-half annas.
For every additional two ounces or part of that weight ...	Half an anna.
For Ceylon	Indian inland rates.
For Portuguese India	Indian inland rates.

Samples.

For any part of the world served by the Foreign Post with the exception of Ceylon and Portuguese India—

For a packet not exceeding four ounces in weight ...	One anna.
For every additional two ounces or part of that weight ...	Half an anna.
For Ceylon	Indian inland rates.
For Portuguese India	Indian inland rates.

Registered newspapers.

For Ceylon	Indian inland rates.

Parcels.

The Director-General shall, from time to time, declare in the *Post Office Guide* the countries and places to which parcels may be transmitted by the Foreign post, and the rates of postage chargeable in each case.

In the case of Ceylon the Indian inland rates of postage shall be applicable provided that prepayment of postage, and registration, shall be compulsory.

4. The following are declared to be the rates of postage chargeable on the delivery of postal articles, other than parcels received by the Foreign post, where the postage is not prepaid or is insufficiently prepaid :—

When the postage is not prepaid	Double the prepaid rate.
When the postage is insufficiently prepaid ...	Double the deficiency.

PART II.—MAIN CONDITIONS OF TRANSMISSION BY POST OF POSTAL ARTICLES.

I.—Inland postal articles.

Postcards.

5. Single and reply cards of private manufacture may be transmitted by post as postcards :

Provided that—

(*a*) the postage is prepaid in full by means of adhesive postage stamps affixed to them,

(*b*) as regards size, they are not more than $5\frac{1}{2}$ by $3\frac{1}{2}$ inches or less than $4\frac{3}{4}$ by 3 inches, and

(*c*) as regards substance, they are neither thinner nor more flexible than the inland postcards issued by the Post Office.

6. All reply postcards of private manufacture shall display the title "Postcard" on the address-side, but this title is not obligatory for single cards of private manufacture. Reply-halves of reply paid cards shall bear the words "Postcard" and "Reply." Whatever is printed on the address-side of the inland or international official postcards issued by the Post Office is also permissible on the address-side of cards of private manufacture.

2. A postcard shall not be folded, cut, or otherwise altered, except that the impressed postage stamp (if any) may be perforated with initials ; nor may a postcard be enclosed in a cover of any kind.

3. The right-hand half of the address-side of a postcard is in all cases reserved for the address of the recipient, for the postage stamp necessary for prepayment, which should, so far as possible, be affixed in the upper right-hand corner, and for the postal directions "Registered" and "Acknowledgement due," but the left-hand half of the address side, as well as the back, may be used by the sender for the purpose of a written communication, or may be otherwise disposed of, subject to the restrictions mentioned in clause 4 of this rule.

NOTE.—A small space marked off by fine lines or minute dots to indicate the place where the postage stamp should be affixed is allowed on the upper right-hand corner of the address-side of postcards.

4 Nothing shall be attached to a postcard except—

(*a*) stamps in payment of postage or stamp duty ;

(*b*) a gummed label [not to exceed 2 inches (in length) and $\frac{3}{4}$ inch in width)], bearing the name and address of the person to whom the card is sent ;

(*c*) a similar label, bearing the name and address of the sender of the card ; and

(*d*) engravings, illustrations, drawings and photographs on very thin paper and completely adherent to the card.

Stamps in payment of stamp duty may be affixed only to the back of the postcard. The articles specified in clauses (*c*) and (*d*) may be affixed either to the back or the left-hand half of the address-side.

5. The reply halves of reply-paid cards cannot be registered by the original senders of such cards.

7. Should a postcard be posted without the postage having been prepaid in full, it shall be forwarded to the office of the Postmaster-General to be destroyed forthwith. Should either portion of a reply postcard be posted without the postage having been prepaid, that portion shall be forwarded to the office of the Postmaster-General to be destroyed forthwith. Should any of the other conditions imposed by rules 5 and 6 be infringed, the postcard shall be treated as a letter.

Book packets.

8. A book packet may contain any of the following articles :—

(*a*) newspapers and publications of all kinds ; books, whether blank or printed ; engravings ; photographs, drawings, plans, maps, printed music, and proof sheets with or without the manuscript relating thereto ; blank paper, parchment or card-board ; and, generally, anything on paper, parchment or card-

board which is printed, engraved, lithographed, papyrographed, or produced by any other mechanical process easy to recognise, except the copying press and the typewriter :

Provided that no card bearing the heading "Postcard" shall be allowed to be transmitted open by post as a book packet ;

(*b*) business papers, written or drawn wholly or partly by hand, not being of the nature of a letter or having the character of a personal communication, such as deeds, bills of lading, invoices, accounts, proposals and policies of assurance, powers-of-attorney, licenses, statistical returns submitted by or to public officers in their official capacities and manuscript of all kinds, including manuscript music, not being of the nature of personal correspondence ;

(*c*) written letters of old date which have previously passed through the post and served their original purpose ;

(*d*) reproductions of a manuscript or type-written original obtained by mechanical process of polygraphy (chromography, mimeography, etc), provided they are handed in at the post office counter and number at least 20 copies precisely identical ;

(*e*) circulars, *i e*, printed notices and printed letters, provided they contain nothing in writing except (*a*) corrections of press errors (*b*) the date of despatch and the name and address and description of the sender, and the name of the addressee, and (*c*) the place, date and hour, when the circular is a notice of meeting, or appointment, and in the case of a notice of meeting, the objects of the meeting.

2. With any of the above-mentioned articles may be sent anything that is necessary for their safe transmission through the post, such as rollers, etc., and with any of the articles mentioned in clause (*a*) may be sent any legitimate binding, mounting, or covering, loose or attached, and anything that ordinarily appertains to such articles, as pens and pencils in the case of a pocket book, photographs in the case of a photograph-book, and card-plates in the case of visiting cards.

3. Manuscript for the press shall not be reckoned as having the character of personal correspondence within the meaning of clause (*b*), and may be sent as a book packet.

9. No communication of the nature of a letter, or having the character of a personal communication, shall be enclosed with, or written upon, the contents of a book packet :

Provided that nothing in this rule shall be held to prohibit inscriptions or entries stating who the sender is or to whom the articles are to be given, or to prohibit purely complimentary greetings from being entered, in writing or otherwise, on Christmas, New Year and birthday cards and similar articles.

10. A book packet shall not contain "paper-money," which for the purposes of this rule includes unobliterated postage or other stamps, currency notes, hundies, cheques, bank-notes, bankpost bills, bills of exchange, and all orders or authorities for the payment of money.

EXPLANATION.—This rule shall not apply to a book packet containing a stamped and addressed envelope, postcard or wrapper, forwarded by the sender of the packet in order that such envelope card or wrapper may be returned through the post to the sender or sent to some other person designated by him.

11. The dimensions of a book packet, which may be of any shape shall not exceed two feet in length by one foot in width and one foot in depth. When, however, the packet is in the form of a roll, the length shall not exceed thirty inches :

Provided that, if the length exceeds twenty-four inches (two feet) the diameter shall not exceed four inches.

12. A book packet shall be posted without a cover, or with a cover entirely open at both ends, or in an unfastened envelope or in a cover which can be easily removed so as to admit of a ready examination of the contents. The ends of the packet, however, may be tied with string.

ILLUSTRATION.—A closed envelope notched at the sides or ends does not admit of a ready examination of its contents, and does not, therefore, fulfil the conditions prescribed by this rule.

13. If a book packet is found to contain anything not permitted by the rules, or to be in excess of the prescribed size, or to be packed in a manner not in accordance with the rules, it shall be charged on delivery with letter or parcel postage, whichever may be less. Any postage stamps that may be affixed to it shall, however, be recognised in assessing the charge.

Pattern packets.

14. A pattern packet may contain *bonâ fide* trade patterns or samples of merchandise not having any saleable value, together with, or without, any matter which may be sent as a book packet. There shall be no writing upon or in a pattern packet, except the name and address of the sender, the name and address of the person for whom it is intended, a trade mark, numbers, prices, and indications as to the weight, size or quantity to be disposed of.

2. Objects of natural history, dried or preserved animals and plants, geological specimens and other similar objects shall also be admitted to transmission by post at the rates of postage for pattern packets, provided that they are not sent for a commercial purpose, and that they are packed in the manner prescribed for pattern packets generally.

15. The dimensions of a pattern packet shall not exceed two feet in length by one foot in width and one foot in depth; and the weight shall not exceed eighty tolas.

16. A pattern packet shall be posted without a cover, or with a cover open at both ends, or in an unfastened envelope or other cover which can be easily removed so as to admit of a ready examination of the contents.

2. Samples of seeds, drugs and other articles which cannot be sent in unfastened or removable envelopes may be sent enclosed in boxes or bags, provided that they are fastened in such a way that they can be easily opened: they may also be sent in air-tight cases when necessary, provided that the nature of the contents is certified on the cover under the full signature and address of the sender.

3. Articles of glass shall be securely packed (in boxes of metal, wood, leather or cardboard) in such a way as to prevent all risk of injury to the mails or to the officers of the Post Office.

4. Liquids, oils and fatty substances easily liquefied shall be enclosed in glass bottles hermetically sealed. Each bottle shall be placed in a wooden box furnished with saw-dust, cotton, or some spongy material in sufficient quantity to absorb the liquid in case the bottle be broken. Finally, the box itself shall be enclosed in a case of metal, or of wood with a screw top, or of strong and thick leather.

EXPLANATION.—When use is made of perforated wooden blocks of the thickness of at least $\frac{1}{5}$th of an inch in the weakest part, with a sufficient quantity of absorbent material inside and provided with a cover, the blocks need not be enclosed in a second case.

5. Fatty substances which are not easily liquefied, such as ointments, soft soaps, resins, etc., shall be enclosed in an inner cover (box, bag of linen or parchment, etc.) which shall itself be placed in a second box of wood, metal or strong and thick leather.

6. Dry powders, whether dyes or not, shall be placed in card-board boxes, which themselves shall be enclosed in a bag of linen or parchment.

7. Live bees shall be enclosed in boxes so constructed as to prevent all danger and to allow the contents to be ascertained.

17. If a pattern packet is found to contain anything not permitted by the rules, or to be in excess of the prescribed size or weight, or to be packed in a manner not in accordance with the rules, it shall be charged on delivery with letter or parcel postage, whichever may be less. Any postage stamps that may be affixed to it shall, however, be recognised in assessing the charge.

2. If a packet containing samples of any of the articles mentioned in clauses 3 to 7 of rule 16 is not packed in the manner prescribed therein, it shall not be forwarded.

Registered newspapers.

18. Newspapers as defined in section 9 of the Act shall be transmitted by post as registered newspapers, provided that they are posted in accordance with the following conditions:—

(a) The newspaper shall be registered in the office of the Postmaster-General, or officer exercising the powers of the Postmaster-General, of the postal circle in which it is published. Such registration shall cease to have effect at the close of the calendar year following that in which it was effected, and must be renewed if a continuance of the privilege conferred by the system

beyond that time is desired. The first application for the registration of a newspaper shall be accompanied by a certificate from the District Magistrate of the District in which in the newspaper is published, or from the Chief Presidency Magistrate in the case of a Presidency-town, to the effect that the security required by section 8 of the Indian Press Act, 1910 (I of 1910), has been deposited or dispensed with, as the case may be.

(*b*) The postage shall be prepaid by postage stamps.

(*c*) The newspaper shall bear in print immediately above the address the word "Registered" followed by the registration-number which shall be assigned to it by the Postmaster-General or other officer referred to in condition (*a*).

(*d*) The newspaper shall be posted at the place of publication by the proprietor, manager or publisher.

(*e*) The newspaper shall be posted without a cover or in a short cover open at the ends.

(*f*) There shall be no word printed on the newspaper after its publication or upon the cover (if any) thereof, nor shall any writing or mark be made upon it or upon the cover (if any) thereof, except the name and address of the person to whom it is sent, and, if desired, the name and address of the newspaper, or of the sender.

(*g*) There shall be no paper or thing enclosed in or with any such newspaper other than an extra or supplement as specified in section 9 of the Act.

2. Nothing in this rule shall be held to prevent newspapers being transmitted by post, either singly or otherwise, at the rates, and under the conditions prescribed for book packets.

Parcels.

19. A parcel may contain one (but shall not contain more than one) written communication of the nature of a letter, or having the character of a personal communication?

Provided that the communication shall be addressed only to the addressee of the parcel itself.

20. A parcel shall not exceed 440 tolas in weight, unless it is registered, in which case the weight shall not exceed 10 seers (800 tolas). A parcel shall not be of a kind which, owing to size, shape, manner of packing, or any other cause, cannot be carried by post without serious inconvenience or risk.

21. A parcel shall be packed and enclosed in a reasonably strong case, wrapper or cover, fastened in a manner calculated to preserve the contents from loss or damage in the post, to prevent any tampering therewith and to protect other postal articles from being damaged in any way thereby.

2. Liquids and substances which liquefy easily shall be despatched in a double receptacle. Between the first receptacle (bottle, flask, pot, box, etc.) and the second (which shall be a box of metal or of strong wood) some space shall be left to be filled with saw-dust bran, or some other absorbing material.

3. Live bees shall be enclosed in suitable cases and so packed as to prevent all risk of injury to other postal articles in course of transmission by post or to officers of the Post Office.

22. Human and other viscera may be transmitted by post to Chemical Examiners for analysis subject to the following conditions :—

(*a*) The suspected viscus or other material to be sent for examination shall be enclosed in a glass bottle or jar, fitted with a stopper or sound cork.

(*b*) Great care shall be taken that the stopper or cork of the bottle fits tightly. This precaution is specially necessary when alcohol is used as a preservative ; in such cases a ring of bee's wax or candle-wax shall be placed round the lip of the bottle so as to cover the shoulder of the stopper. The stopper shall be carefully fastened down with bladder or leather and sealed.

(*c*) The glass bottle or jar shall then be placed in a strong wooden or tin box, which shall be large enough to allow of a layer of raw cotton, at least three-fourths of an inch thick, being placed between the bottle or jar and the box

(*d*) The box itself shall be encased in cloth, which shall be securely closed and sealed. The seals shall be at intervals not exceeding three inches along each seam. All the seals shall be of the same kind of wax and shall bear distinct impressions of the same device. The device shall not be that of a current coin or merely a series of straight, curved or crossed lines.

23. Cultures or other articles known or believed to contain the living germs of plague may be transmitted by the inland post subject to the following conditions :—

(*a*) Such cultures or other articles aforesaid shall not be accepted for transmission unless they are sent by a Commissioned Medical Officer, a Military Assistant Surgeon or a Medical Practitioner in possession of a qualification not lower than that of L. M. S. of the University of Calcutta, the Punjab, Madras or Bombay, or by a person specially permitted by the Governor-General in Council or a Local Government to send such cultures or other articles; nor unless they are consigned to a Government Laboratory, or to a person specially permitted by the Governor-General in Council, or a Local Government, to receive such cultures or other articles.

(*b*) The cultures or other articles aforesaid shall be securely packed in a hermetically closed tin of adequate strength which shall be placed in a strong outer box of wood or tin with a layer of at least three-quarters of an inch of raw cotton-wool between the inner and outer case.

(*c*) The outer case shall be enclosed in a stout cloth, which shall be securely fastened and sealed and labelled with such distinguishing inscription as will suffice to make immediately manifest the nature of the contents.

(*d*) The sender shall present the parcel at the post office accompanied by a declaration as to the nature of its contents, and a certificate signed by himself to the effect that he has advised the addressee of its despatch and that such addressee, if the parcel should not be addressed to a Government Laboratory, has been specially permitted by the Governor-General in Council or a Local Government to receive such cultures or other articles. The certificate, moreover, shall show on its face that the sender is a person authorized within the meaning of clause (*a*) of this rule to send such cultures or other articles.

24. The postage on a parcel shall be fully prepaid by means of postage stamps which shall be affixed either to the cover of the parcel or to an official label which can be obtained free at the post office. In either case the sender or his messenger shall affix the stamps himself, postal officials being strictly forbidden to affix them.

25. Every parcel intended for transmission by post shall be presented at the window of the post office. Any parcel found in a letter-box shall be treated and charged as a registered percel.

2. If a parcel containing any of the articles mentioned in clauses 2 and 3 of rule 21 is not packed in the manner prescribed therein, it shall not be forwarded.

26. Every parcel posted at or addressed to Aden, or Bagdad or Busrah, in Turkish Arabia, or Bandar Abas, Bushire, Jask, Linga, or Mohammerah, in Persia, shall be accompanied by a declaration in such form as may be, from time to time, prescribed by the Director-General, containing a statement signed by the sender, as to the nature of its contents and their value.

2. This rule shall apply also to parcels posted at or addressed to such other places as the Director-General may, from time to time, notify in the *Post Office Guide* as requiring declarations to be presented with them.

Prohibited articles.

27. Gold coin or gold bullion of a value in excess of Rs. 300 and circulars relating to lotteries shall not be transmitted by post.

2. The transmission of coin and bullion by post to and from Aden shall be subject to the same restrictions as are imposed on their transmission by the foreign parcel post.

3. If a postal article, in course of transmission by post, is actually found to contain any of the articles the transmission of which by post is prohibited by clauses 1 and 2 above, it shall be returned to the sender.

Re-direction of postal articles.

28. A postal article re-directed to any place served by the inland post by an officer of the Post Office or by an agent of the addressee after its delivery shall be transmitted by post free of charge in respect of such further transmissions :

Provided that—

(*a*) in the case of an unregistered article re-directed by an agent of the addressee,—the article has not been either opened and has been returned to the postman or re-posted at the place of delivery ; and

(*b*) in the case of a registered article re-directed by an agent of the addressee,—the article has not been opened and has been returned to the postman at the place of delivery with the receipt unsigned.

2. Where a postal article is re-directed to any place under the first paragraph of this rule, the postmaster at such place may, if authorized by a general or special order in this behalf issued by the Postmaster-General, require the addressee of the re-directed article to give, at the time of delivery, a receipt for such article.

29. A postal article re-posted after having been opened, or re-posted at any place other than the place at which it was delivered, shall be treated as a postal article posted for the first time, and charged with postage accordingly. A registered article of which delivery has been taken can be re-posted only under the conditions prescribed for the posting of registered articles for the first time, except that no fresh charge shall be made on account of postage if the article has not been opened.

II.—Foreign postal articles.

30. The Director-General shall, from time to time, notify in the *Post Office Guide* the conditions in force for the transmission of postal articles by the Foreign post :

Provided that the rules relating to inland registered newspapers shall be deemed to apply in the case of newspapers sent to Ceylon.

31. Every postal parcel handed to the post office for transmission by the Foreign post shall be presented at the post office with a declaration, in such form as may be, from time to time, prescribed by the Director-General, containing a statement signed by the sender as to the nature of its contents and their value. No such parcel shall be accepted if it is so small or so covered with writing or sealing-wax, or otherwise made up in such a manner, as to render it impracticable to affix to some part of it the form of declaration prescribed by the Director-General in addition to the official labels to be applied to the address-side of the parcel.

EXPLANATION.—This rule shall not apply to a parcel which has an address-label tied to it, provided that the label is not so small or so covered with writing as to render it impracticable to affix to one side of the label the form of declaration prescribed by the Director-General in addition to the official labels to be applied to the address-side.

Treatment of postal articles from abroad bearing fictitious or previously used stamps.

32. Where a postal article has been received by post from any place beyond the limits of British India, bearing a fictitious or previously used postage stamp, and the addressee of such postal article has failed to attend, by himself or his agent, at the post office of delivery within the time specified in the notice sent to him in that behalf, or, having so attended, has refused to make known the name and address of the sender or to re-deliver the postal article or such portion thereof as may be required under section 27 of the Act, and, in consequence of such failure or refusal, the postal article has not been delivered to the addressee or his agent, the postal article shall be disposed of in the following manner :—

The officer in charge of the post office at which the postal article has been received for delivery shall record a statement, in such form as the Director-General shall prescrible, setting forth action taken by him under provisions of section 27 of the Act, and the fact of such failure or refusal as aforesaid on the part of the addressee or his agent ; and shall forward the statement, together with the postal article, through the usual channel, to the Director-General.

The Director-General shall then, in due course, transmit the statement, together with the postal article, to the Postal Administration of the place beyond the limits of British India from which the article was received.

PART III.—REGISTRATION OF POSTAL ARTICLES.

I.—Inland postal articles.

33. Letters, postcards, book and pattern packets, and parcels may be registered at any post office for tranmission by post to any other post office.

34. In addition to the postage, a fee of two annas shall be charged for the registration of any postal article.

35. The prepayment of the postage and registration fees shall be compulsory in the case of all registered articles, and shall be made by means of postage stamps affixed to the articles.

36. An article intended for registration shall be presented at the window of the post office. No such article shall be accepted for registration if it is so small or so covered with writing or sealing-wax on the address-side, or otherwise made up in such a manner, as to render it impracticable to affix to the article the official labels prescribed by the Director-General.

EXPLANATION.—This rule shall not apply to an article which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director-General.

37. A receipt shall be given to the person who presents an article for registration at the post office window during the hours prescribed for posting registered articles.

38. No registered article shall be delivered to the addressee unless and until he or his agent has signed a receipt for it in such form as the Director-General shall prescribe.

39. The sender of a registered article shall be entitled to obtain an acknowledgment of its delivery, signed by the addressee, by paying a fee of one anna, in addition to the postage and registration fee, at the time of posting the article. The fee for a special acknowledgment shall be paid by means of postage stamps affixed to the article.

40. The sender of a registered article may obtain an attested copy of the original receipt signed by the addressee on payment of a special fee of three annas, provided that he makes his application for it within six months of the date on which the addressee signed the original receipt.

41. Registration shall be obligatory in the case of—

(a) Any parcel exceeding 440 tolas in weight.

(b) Any insured parcel.

(c) Any parcel addressed to a place for which a customs declaration is required.

(d) Any article containing postage or other stamps or labels or a cheque, hundi, bank-note, bankpost bill, bill of exchange, or the like,—if the contents are either superscribed upon the cover or are known or manifest to the officers of the post office owing to the transparency, insecurity, or insufficiency of the cover, or to any other cause.

(e) Any article bearing the word "registered" or any other word, phrase, or mark to the like effect written or impressed on the cover.

(f) Any registered article which is re-posted after having been delivered.

EXCEPTION.—Nothing in this rule shall be held to render registration of a packet compulsory only by reason that it contains a stamped envelope, postcard, or wrapper as provided by the Explanation to rule 10.

2. Twice the fee for registration shall be levied on the delivery of any postal article required under this rule to be registered on which the fee for registration has not been prepaid.

II.—Foreign postal articles.

42. Letters, postcards, and packets may be régistered at any post office for transmission to countries and places served by the Foreign post, subject to such exceptions as the Director-General shall, from time to time, notify in the *Post Office Guide*.

43. In addition to the postage, a further fee of two annas shall be charged for the registration of any article to be sent by the Foreign post.

44. The prepayment of the postage and registration fee on Foreign registered articles shall be compulsory, and shall be made by means of postage stamps affixed to the articles.

45. Rules 36, 37 and 38, relating to the registration of inland postal articles, shall be equally applicable to registered articles sent or received by the Foreign post.

46. The sender of a registered article addressed to any country belonging to the Universal Postal Union shall be entitled to obtain an acknowledgment of its delivery by paying a fee in addition to the postage and registration fee, of one anna in the case of a registered article addressed to Ceylon or Portuguese India, and of two annas in the case of a registered article addressed to any other such country.

2. When the sender of a registered article addressed to any country belonging to the Universal Postal Union has not paid the fee for an acknowledgment of its delivery and desires to have an enquiry made by the Post Office regarding the disposal of the article, he shall be entitled to this service on payment of the same fee as that chargeable for an acknowledgment of delivery.

PART IV.—INSURANCE OF POSTAL ARTICLES.

I.—Inland postal articles.

47. Registered letters, value payable registered letters, registered parcels and value-payable registered parcels may be insured up to the value of Rs. 500 at such branch post offices, and up to the value of Rs. 2,000 at such other post offices, as may be authorised by the Director-General to accept articles for insurance:

Provided that in no case such value exceed the real value of the contents of the article insured.

48. Insurance shall be of two kinds, complete and partial. Complete insurance shall cover all risks in course of transmission by post. Partial insurance shall cover all risks in course of transmission by post in British territory and all risks, except those arising out of highway robbery, in course of transmission by post in such Native State territory as may be specified in this behalf by the Director-General in the *Post Office Guide*.

49. In addition to the postage and the fee for registration, the following further fees shall be charged for insurance :—

		Anna.
Where the value insured does not exceed Rs. 50	...	1
For every additional Rs. 50 or fraction thereof	...	1

The further fees in the case of partially insured articles shall be charged at only half the above rates.

50. The prepayment of all charges on insured articles, namely, postage, registration fees and insurance fees, shall be compulsory. Payment in all cases shall be made by means of postage stamps affixed to the articles.

51. Every letter tendered for insurance must be enclosed in a strong cover, which must be securely fastened and sealed with fine wax bearing a private mark, in such a way that it cannot be opened without either breaking the seals or leaving obvious traces of violation. Envelopes with black or coloured borders must not be used. Seals must be placed over each flap or seam of the cover; and if the cover is tied round with string or tape, a seal must be placed on the ends where they are tied.

2. Every parcel tendered for insurance must be packed carefully and substantially with due regard to the nature of the contents and the length of the journey, and must be sealed with wax or lead, bearing a private mark, in such a way that it cannot be opened without either breaking the seal or leaving obvious traces of violation. Seals must be placed over each join or loose flap of the covering of a parcel; and, if string be used in packing, a seal must be placed on the ends of the string where they are tied.

3. All the seals affixed to an insured postal article shall be of the same kind of wax and shall bear distinct impressions of the same device. The device shall not be that of a current coin or merely a series of straight, curved, or crossed lines.

52. No postal article shall be accepted at any post office for insurance if it is so small or so covered with writing or sealing wax on the address-side, or otherwise made up in such a manner, as to render it impracticable to affix to the article the official labels prescribed by the Director-General.

EXPLANATION.—This rule shall not apply to an article which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director-General.

53. An article intended for insurance shall be presented at the window of the post office with the amount for which the sender wishes it to be insured, clearly written, in words and figures, on the cover. The name and address of the sender shall also be written on the cover in the lower left-hand corner, or on a separate slip of paper, to be presented with the article, should there be no room for his name and address on the cover.

54. A receipt shall be given to the person who presents an article for insurance at the post office window during the hours prescribed for posting insured articles.

55. The sender of an insured article shall be entitled to obtain free of charge an acknowledgment of its delivery signed by the addressee.

56. There shall be payable to the sender of an insured postal article compensation not exceeding the amount for which the article has been insured, for the loss of the postal article or any of its contents or for any damage caused to it in course of transmission by post:

Provided that the compensation shall in no case exceed the value of the article or any of its contents lost or the amount of the damage caused, and provided that in the case of loss, the sender shall furnish full particulars of the contents of the postal article and their value:

Provided, also, that no compensation shall be payable—

(a) where there has been misdelivery arising out of incorrectness or incompleteness of the address written by the sender;
(b) where there has been fraud on the part of the sender or addressee;
(c) where the insured article has been delivered to the addressee and he has signed and returned the receipt therefor;
(d) where the sender has not given intimation of the loss within three months from the date of posting;
(e) where the loss or damage was due to improper or insecure packing;
(f) where there is no visible damage to the cover or seals;
(g) in the case of partially insured articles, where the loss or damage was caused by highway robbery during the transit in respect of which the insurance is partial only;
(h) in the case of the loss of halves of currency notes, where the halves which are safe have not been made over to the Post Office;
(i) in the case of damage arising from the nature of the article insured; or
(j) where the contents of the insured postal article were gold coins or gold bullion of a value exceeding Rs. 300.

57. Compensation shall be payable one month after the date on which intimation of loss is given by the sender to the Post Office, except in cases in which the Postmaster-General may consider that the circumstances demand the withholding of payment pending inquiry.

58. Coin, bullion, precious stones, jewellery, currency notes or any portion thereof and articles of gold or silver may be sent by post only in insured registered letters or insured parcels. If a letter or parcel presented at the post office window is found to contain any such object of value, it shall not be accepted for transmission by post, unless the sender insures it; and if an uninsured article manifestly containing any such object of value is found in course of transmission by post, it shall be either intercepted and returned to the sender or forwarded to destination and delivered to the addresee subject to the payment of a fee of one rupee. The payment of this fee shall not impose any liablity on the Government.

EXPLANATION.—In this rule, the expression "articles of gold or silver" includes articles made wholly or partly of gold or silver, but not electro or other plated goods. The expression "currency notes" does not include defaced notes, i.e., notes from which the signature has been cut off after cancellation, remitted on behalf of the Currency Department.

II.—Foreign postal articles.

59. The Director-General shall, from time to time, notify in the *Post Office Guide* the countries and places for transmission to which foreign registered letters and foreign parcels may be insured, and the limit up to which such letters or parcels may be insured in each case:

Provided that in no case shall such value exceed the real value of the contents of the letter or parcel insured.

60. In addition to the postage and (in the case of letters) the registration fee, the following further fees shall be charged for insurance:—

For insurance to Ceylon and Portuguese India—

	Annas.
Where the value insured does not exceed Rs. 100	2
For every additional Rs. 100 or fraction thereof	2

For insurance of letters and parcels to Mauritius, the British East Africa and Uganda Protectorates, and the Somaliland Protectorate, and of parcels to the Seychelles or Zanzibar—

	Annas
Where the value insured does not exceed Rs. 100...	4
For every additional Rs. 100 or fraction thereof	4

For insurance to the United Kingdom and to British Possessions and Foreign countries other than those mentioned above—

	Annas.
Where the value insured does not exceed £5	3
For every additional £5 or fraction thereof	3

61. The prepayment of all charges on insured foreign registered letters and parcels shall be compulsory. Payment in all cases shall be made by means of postage stamps affixed to the letters or parcels. The stamps must be placed apart from one another, so that they may not serve to conceal injuries to the cover of the letter or parcel. No label of any kind shall be affixed by the sender to the cover of a letter intended for insurance.

62. Every foreign letter tendered for insurance must be enclosed in a strong cover, which must be securely fastened and sealed with fine wax bearing a private mark, in such a way that it cannot be opened without either breaking the seals or leaving obvious traces of violation. Envelopes with black or coloured borders must not be used. Seals must be placed over each flap or seam of the cover; and if the cover is tied round with string or tape, a seal must be placed on the ends where they are tied.

2. Every foreign parcel tendered for insurance must be packed carefully and substantially, with due regard to the nature of the contents and the length of the journey, and must be sealed with wax or lead, bearing a private mark, in such a way that it cannot be opened without either breaking the seal or leaving obvious traces of violation. Seals must be placed over each join or loose flap of the covering of a parcel; and, if string be used in packing, a seal must be placed on the ends of the string where they are tied.

3. All the seals affixed to an insured foreign letter or parcel shall be of the same kind of wax or lead and shall bear distinct impressions of the same private device. The device shall not be that of a current coin or merely a series of straight, curved or crossed lines.

63. No foreign letter or parcel shall be accepted at any post office for insurance if it is so small or so covered with writing or sealing-wax on the address-side, or otherwise made up in such a manner, as to render it impracticable to affix to it the official labels prescribed by the Director-General.

EXPLANATION.—This rule shall not apply to a letter or parcel which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director-General.

64. A foreign letter or parcel intended for insurance shall be presented at the window of the post office with the amount for which the sender wishes it to be insured, clearly written, in words and figures, without erasure or correction on the cover and accompanied by such form or forms duly filled up as may be prescribed by the Director-General from time to time, in the *Post Office Guide*. The name and address of the addressee of a foreign letter or parcel intended for insurance shall be written in ink on the actual cover of the articles.

65. A receipt shall be given to the person who presents a foreign letter or parcel for insurance at the window of the post office during the hours prescribed for posting insured foreign articles.

66. There shall be payable to the sender, or, in default or at the request of the sender, to the addressee of a foreign letter or parcel which has been insured by the Post Office of India and posted in India, compensation not exceeding the amount for which the article has been insured, for the loss of the article or its contents or for any damage caused to it in course of transmission by post; and the sender shall, in case of loss, also be entitled to a refund of the expenses of transmission as well as of any fee that he may have paid for an enquiry as to the disposal of the article, but in no case to a refund of the insurance fee paid:

Provided that the compensation shall in no case exceed the value of the article lost or the amount of the damage caused:

Provided, also, that no compensation shall be payable—

(*a*) where the loss or damage has been caused by the fault or negligence of the sender, or arises from the nature of the article;

(*b*) where the insurance has been fraudulently made for a sum above the real value of the contents, or there has been any other fraud on the part of the sender or addressee;

(c) where the insured article has been delivered to the addressee and he has signed and returned the receipt therefor ;

(d) where the sender or addressee has not given intimation of the loss or damage within twelve months from the date of posting ;

(e) where the loss or damage was due to improper or insecure packing ;

(f) where there is no visible damage to the cover or seals ; or

(g) in cases beyond control (*e.g.*, tempest, shipwreck, earthquake, war, etc).

3. The Secretary of State for India in Council accepts no liability either to the sender or the addressee for any loss or damage in respect of any foreign letter or parcel which was not posted in India and insured by the Post Office of India.

67. Where a foreign parcel contains coin, bullion, precious stones, jewellery, or articles of gold or silver, it shall not be accepted for transmission by post unless the sender wishes to insure it. If a foreign parcel containing any such object of value is addressed to a country or place to which insurance is not available, the parcel shall be insured for its inland transit within the limits of British India, and in such cases the fee charged for insurance shall be calculated as follows :—

When the value is expressed in rupee currency—

	Anna.
Where the value insured does not exceed Rs. 50	1
For every additional Rs. 50 or fraction thereof	1

When the value is expressed in sterling—

	Anna.
Where the value insured does not exceed £3	1
For every additional £ 3 or fraction thereof	1

2. If an uninsured foreign parcel, declared to contain or manifestly containing any of the objects of value specified above, is received from a country with which, as notified by the Director-General in the *Post Office Guide*, insured parcels can be exchanged, the parcel shall either be intercepted and returned to the sender or forwarded to destination and delivered to the addressee, subject to the payment of a fee of one rupee. The payment of this fee shall not impose any liability on the Secretary of State for India in Council.

EXPLANATION.—In this rule the expression "articles of gold or silver" includes articles made wholly or partly of gold or silver, but not electro or other plated goods.

68. Where an insured foreign letter which has been re-directed, or an insured foreign parcel which has been re-directed or returned as undeliverable, is received in India subject to a fresh insurance fee by reason of its having been so re-directed or returned, such fee shall be recoverable on delivery as if it were postage due under the Act.

PART V.—VALUE-PAYABLE POST.

I.—Value-payable postal articles.

69. Registered and unregistered parcels, registered letters, registered book packets newspapers prepaid at newspaper rates of postage and fully prepaid unregistered book packets, may be transmitted by the inland post as value-payable postal articles, provided that the amount specified for remittance to the sender in the case of any such postal article shall not exceed Rs. 1,000 and—except in the case of postal articles sent by, or addressed to, any Department of the Government or a District, Local, or Municipal Board,—shall not contain a fraction of an anna, and provided that such parcels, letters, and packets do not contain coupons, tickets, certificates or introductions designed for the sale of goods on what is known as the "snowball system."

EXPLANATION.—The words "any Department of the Government" include any official Department of the Government of a Native State, the posts of which have been amalgamated with the Imperial Post.

70. Postal articles as aforesaid, with the exceptions noted below, may be transmitted by post to Ceylon, Portuguese India, the Somaliland Protectorate, and the Straits Settlements as value-payable postal articles, provided that the amount specified for remittance to the sender in respect of any such postal article shall not exceed Rs. 600 and shall not contain a fraction of an anna, and provided that such parcels, letters and packets do not contain coupons, tickets, certificates or introductions designed for the sale of goods on what is known as the "snowball system."

EXCEPTIONS.

Ceylon.—Unregistered parcels and *open* railway receipt-notes.

Portuguese India and the Somaliland Protectorate.—Unregistered parcels, *open* railway receipt-notes, unregistered book-packets, and newspapers prepaid at the newspaper rates of postage.

Straits Settlements.—Unregistered parcels, *open* railway receipt-notes, unregistered book-packets, newspapers prepaid at the newspaper rates of postage, and bills of lading.

71. No such postal article as aforesaid shall be accepted at any post office for transmission by Post as value-payable postal article unless the sender declares that it is sent in execution of a *bonâ fide* order received by him. At any post office notified from time

to time in this behalf by the Director-General of the Post Office, the sender shall, in addition, be required to declare that the article is one the transmission of which by post as a value-payable postal article is permitted. No postal article as aforesaid shall be accepted at these offices without such further declaration.

EXPLANATION.—An article may be sent by the value-payable post even though it possesses no intrinsic value. Thus legal documents, bonds, policies of insurance, promissory notes, railway goods and parcel receipts, bills of lading or ordinary bills for collection may be sent as value-payable postal articles. In the case of a railway receipt or bill of lading sent as a value-payable postal article, it will be sufficient for the purposes of this rule if the article to which the railway receipt or bill of lading relates, has been sent in execution of a *bonâ fide* order. In the case of the other documents specified the document must be sent in execution of a *bonâ fide* order to send the document itself.

72. Every postal article intended to be transmitted by post as a value-payable postal article shall be presented at the post office with a printed form, prescribed by the Director-General and obtainable at the post office, in which the sender shall specify the sum to be remitted to himself, fill in the required entries, and sign the declaration required by rule 71. If the article is an unregistered parcel, unregistered book-packet, or newspaper prepaid at newspaper rates of postage, a fee calculated according to the schedule below on the amount specified for remittance to the sender shall be prepaid by the sender by affixing postage stamps of the value of the fee to the article itself. The sender of a postal article intended to be transmitted by post as value-payable shall write clearly on the face of the article itself—

(*a*) in the upper left-hand corner—the letters " V. P., " followed by an entry, in *figures and words*, of the amount for remittance to himself, and

(*b*) in the lower left-hand corner—his own name and full address.

Schedule of fees.

Amount specified for remittance to sender	not exceeding Rs. 5 ...	1 anna.
	exceeding Rs. 5, but not exceeding Rs. 10 ...	2 annas.
	exceeding Rs. 10, but not exceeding Rs. 15	3 "
	exceeding Rs. 15, but not exceeding Rs. 25	4 "
	exceeding Rs. 25 ...	4 annas for each complete sum of Rs. 25 and 4 annas for the remainder, provided that if the remainder does not exceed Rs. 5, the charge for it shall be only one anna ; if it does not exceed Rs. 10, the charge for it shall be only 2 annas, and if it does not exceed Rs. 15, the charge for it shall be only 3 annas.

73. No article shall be accepted at any post office for transmission by post as a value-payable postal article if it is so small or so covered with writing or sealing-wax on the address-side, or otherwise made up in such a manner, as to render it impracticable to affix to the article the official labels prescribed by the Director-General.

EXPLANATION.—This rule shall not apply to an article which has an address-label tied to it, provided that the label is not so small or so covered with writing on the address-side as to render it impracticable to affix to that side the official labels prescribed by the Director-General.

74. The amount to be recovered from the addressee shall be the sum specified by the sender for remittance to himself *plus*, in the case of registered parcels, registered letters, and registered book packets, a fee calculated as in rule 72. When this amount is recovered from the addressee, the sum for payment to the sender shall be remitted to him by means of a money order. If the addressee of value-payable articles refuses or omits to take delivery of it, the article shall be returned to the sender, who will be required to pay any charges that may be due on it, and to acknowledge receipt of the article by signing the form presented by the postman. In no circumstances will the fee prepaid in stamps, in the case of a value-payable unregistered parcel, unregistered book packet, or newspaper be refunded.

75. If a complaint is made by the addressee immediately after the receipt of a value-payable postal article, that it was sent dishonestly or fraudulently, the Postmaster-General may, if satisfied that there are *primâ facie* grounds for believing that the value-payable postal article was sent with the intention of defrauding the addressee, withhold the payment to the sender of the money recovered from the addressee. If, after making such enquiries as may be necessary, he is fully satisfied that the value-payable postal article was sent with this intention, he may order the return of the article to the sender and refund to the addressee the sum of money recovered from him on delivery of the value-payable postal article.

76. Whenever the sender or addressee of a value-payable postal article makes a complaint regarding the delivery of or payment for the value-payable postal article, he shall be entitled to have an enquiry made by the Post Office on paying a fee of one anna. The fee shall be paid by means of a postage stamp or stamps affixed to the letter of complaint. This fee shall be refunded in cases where the complaint is found to be well-grounded.

77. The Government shall not incur any liability in respect of the sum specified for remittance to the sender in respect of a value-payable postal article unless and until that sum has been received from the addressee.

II.—Transmission by post of railway receipt-notes open as value-payable articles.

78. A railway receipt-note for goods may be transmitted by post open as a value-payable postal article :

Provided that—

(*a*) the goods to which the railway receipt-note relates does not exceed Rs. 1,000 in value; and

(*b*) the railway receipt-note shows on its face that the goods to which it relates, have been consigned to the sender himself, is endorsed to the person to whom the goods are to be delivered, and is signed by the sender.

79. The open railway receipt-note shall be presented at the post office with the printed form prescribed by the Director-General for registered value-payable postal articles, in which the sender shall specify the sum to be remitted to himself, fill in the required entries and sign the declaration that the article is sent in execution of a *bonâ fide* order received by him.

80. A fee of two annas shall be paid on each railway receipt-note presented for transmission by post open. The fee shall be paid in postage stamps, which shall be affixed by the sender to the receipt-note.

81. The Post Office will transmit the open railway receipt-note to the post office of destination, and will deliver it on payment of the amount recoverable to the person to whom it has been endorsed by the sender, in such manner as the Director-General may from time to time appoint for the delivery of registered value-payable postal articles.

82. The amount when recovered will be remitted to the sender in accordance with the rules for the time being in force relating to registered value-payable postal articles.

83. A railway receipt-note for goods may be transmitted by post open under the foregoing rules, without compliance with the conditions laid down in the second proviso to rule 78, if it—

(*a*) relates to goods sent between stations on such railways as are for the time being specified in this behalf by the Director-General in the *Post Office Guide*; or

(*b*) shows on its face that the goods so sent have been declared at the booking office as being sent under the value-payable system.

84. These rules apply also to receipt-notes for goods conveyed by steamer within the limits of British India.

85. Nothing in these rules shall be construed to prevent the transmission by post of receipt-notes under the rules for the time being in force relating to the value-payable post generally.

PART VI.—MONEY ORDERS.

I.—Inland money orders.

Ordinary inland money orders.

86. The amount for which a single money order may be issued shall not exceed Rs. 600 and—except in the case of money orders issued by, or in favour of, any Department of the Government, or by, or in favour of, a district, Local, or Municipal Board,—shall not include a fraction of an anna.

EXPLANATION.—The words "any Department of the Government" include any official Department of the Government of a Native State, the posts of which have been amalgamated with the Imperial post.

87. Money orders may be issued on the following Native States with which special arrangements have been made for the exchange of money orders, but the amount for which a single money order may be issued on these States shall not exceed Rs. 600 :—

Chamba.
Gwalior.
Jhind.
Nabha.
Patiala.

EXPLANATION.—The exception in the last preceding rule applies also to money orders issued by, or in favour of, any official Department of any of these States.

88. A commission on the issue of inland money orders shall be charged at the following rates, namely :—

On any sum not exceeding Rs. 5 ...	1 anna.
On any sum exceeding Rs. 5, but not exceeding Rs. 10	2 annas.
On any sum exceeding Rs. 10, but not exceeding Rs. 15	3 annas.
On any sum exceeding Rs. 15, but not exceeding Rs. 25	4 annas.
On any sum exceeding Rs. 25 ...	4 annas for each complete sum of Rs. 25 and 4 annas for the remainder, provided that, if the remainder does not exceed Rs. 5, the charge for it shall be only 1 anna; if it does not exceed Rs. 10, the charge for it shall be only 2 annas; and if it does not exceed Rs. 15, the charge for it shall be only 3 annas.

89. The Director-General may, at any time, suspend the issue of money orders upon or by any particular post office, or group of post offices, or direct that money orders shall not be so issued except on payment of special rates of commission higher than those prescribed by rule 88.

90. The remitter of a money order shall fill in, in ink, on a money order form prescribed by the Director-General such particulars as the Director-General may require. Such particulars may be written in English or in the vernacular of the district.

91. The money order form duly filled in, together with the amount of the money order and commission, may be presented at the post office during the hours prescribed by the Director-General for money order business.

92. A receipt shall be given to the remitter for the amount paid by him on account of the money order and commission.

93. The remitter of a money order shall be entitled to obtain, free of charge, an acknowledgment of the payment of the amount of the order signed by the payee.

94. The payment of a money order shall ordinarily be made at the address of the payee on his signing the money order and acknowledgment.

95. The money order and acknowledgment shall be signed by the payee named by the remitter, or by some person authorised in writing by the payee in this behalf. The signature shall be written in ink in the space provided for the purpose.

96. If the remitter or payee of a money order is illiterate, his mark shall be obtained and shall be verified in such manner as the Director-General may direct.

97. A money order shall be re-directed to the payee on his written request free of charge.

98. The remitter of a money order which has not been paid, may require that the address of the payee shall be altered or that the name of the post office, at which the order was originally made payable, shall be changed. The required change shall be made without additional charge on the remitter's applying in writing to the post office at which the order was issued.

99. The remitter of a money order which has not been paid, may require that the amount be paid to some person other than the payee named in the order. The required change shall be made, on payment of a second commission equal to the first, on the remitter's applying in writing to the post office at which the order was issued.

100. The remitter of a money order which has not been paid, may stop payment and require that the money be re-paid to himself. This shall be done without additional charge on the remitter's applying in writing to the post office at which the money order was issued, and producing the receipt and giving full particulars of the payee's address as entered in the money order. In no case, however, shall the Post Office be responsible for inability or failure to stop payment of a money order in compliance with the remitter's request.

101. If the payee of a money order cannot be found, or if the payee refuses to take payment, the amount of the order shall be returned at once to the remitter free of charge. The commission shall in no case be refunded.

102. If payment of a money order to the payee cannot be effected and the amount cannot be re-paid to the remitter owing to the latter not being found, the order shall be void and its value credited to the Government. But, if the payee or remitter subsequently applies for payment, the amount of the order shall be paid to him on the authority of the Audit Officer, provided that application is made before the expiration of one year from the date of issue of the original order.

Telegraphic inland money orders.

103. The amount for which a single telegraphic money order may be issued shall not exceed Rs. 600, and shall not include any sum less than a rupee.

104. A fee for the issue of a telegraphic money order shall be charged at the rate of commission on an ordinary inland money order for the same amount, added to a telegraph charge calculated at the rates for inland telegrams for the actual number of words used in the telegram advising the remittance, according as the telegram is to be sent as an "Express" or as an "Ordinary" message. The remitter of a telegraphic money order may have a private communication added to the telegram advising the remittance on paying for the additional words in excess of twelve at the rate of two annas or half an anna a word, according as the telegram is to be sent "Express" or "Ordinary."

105 The Director-General may, at any time, suspend the issue of telegraphic money orders upon any post office, or group of post offices, or direct that telegraphic money orders shall not be so issued except on payment of special fees higher than those prescribed by rule 104.

106. The remitter of a telegraphic money order shall fill in, in ink, on a money order form prescribed by the Director-General, such particulars as the Director-General may require.

107. The money order form duly filled in, together with the amount to be remitted and the fees for the telegraphic money order and private communication (if any), may be presented at the post office during the hours prescribed by the Director-General for telegraphic money order business.

108. A receipt shall be given to the remitter, showing the total amount paid by him, the payee's name and the hour at which the telegraphic money order was presented.

109. The remitter of a telegraphic money order shall be entitled to obtain free of charge, by post, an acknowledgment of the payment of the amount of the order signed by the payee.

110. The payment of a telegraphic money order shall ordinarily be made as soon as practicable after receipt of the telegraphic advice by the office of payment, at the residence of the payee on his signing a receipt for the amount paid and the acknowledgment.

111. The receipt and acknowledgment shall be signed by the payee named by the remitter, or by some person authorised in writing by the payee in this behalf. The signature shall be written in ink in the space provided for the purpose.

112. If the remitter or payee of a telegraphic money order is illiterate, his mark shall be obtained and shall be verified in such manner as the Director-General may direct.

113. A telegraphic money order shall be re-directed to the payee by post, free of charge, on his written request.

114. The remitter of a telegraphic money order which has not been paid may require that the address of the payee shall be altered or that the name of the office at which the order was originally made payable, shall be changed. The required alteration shall be made in the ordinary course of post, without additional charge, on the remitter's applying in writing to the post office at which the money order was issued.

115. The remitter of a telegraphic money order which has not been paid may require that the amount be paid to some person other than the payee named in the order. The required change shall be made in the ordinary course of post, on payment of the commission chargeable on an ordinary money order for the same amount on the remitter's applying in writing to the post office at which the order was issued, and presenting the receipt granted for the original order.

116. The remitter of a telegraphic money order which has not been paid, may stop payment and require that the money be re-paid to himself. This shall be done on the remitter's applying in writing to the post office at which the money order was issued, producing the receipt and giving full particulars of the payee's address as entered in the money order. Payment may be stopped by telegram, the remitter paying the necessary charges at the ordinary rates for it. In no case, however, shall the Post Office be responsible for inability or failure to stop payment of a money order in compliance with the remitter's request.

117. If the payee of a telegraphic money order cannot be found or should the payee refuse to take payment, a reference will be made to the office of issue, and the telegraphic money order, if still undeliverable but not any private communication that may have been added to it, will then be re-issued by telegraph, free of any further charge, for repayment to the remitter. The fees shall in no case be refunded.

118. If payment of a telegraphic money order to the payee cannot be effected and the amount cannot be re-paid to the remitter owing to the latter not being found, the order shall be void and its value credited to the Government. But, if the payee or remitter subsequently applies for payment, the amount of the void order shall be paid to him on the authority of the Audit Officer, provided that application is made before the expiration of one year from the date of issue of the original order.

119. Telegraphic money orders may be issued from any post office in India (including Burma) for the head post office at Aden or from the head post office at Aden for any post office in India (including Burma). The limits of value and the other conditions laid down in the foregoing rules relating to inland telegraphic money orders shall apply to such telegraphic money orders :

Provided that the fees for such telegraphic money orders shall be made up of (*i*) the money order commission at the rates applicable to inland ordinary money orders and (*ii*) a telegraph charge at the rate of Re. 1 a word for every word included in the telegram advising the remittance :

Provided also that telegraphic money orders for re-payment to the remitters shall be returned *by post* to the offices of issue.

II.—Foreign money orders.

Ordinary foreign money orders.

120. Foreign money orders shall be of two kinds, namely :—

(*a*) Money orders expressed in rupee currency : and

(*b*) Money orders expressed in sterling.

2. The Director-General shall, from time to time, notify in the *Post Office Guide* the countries and places with which money orders of each kind may be exchanged.

121. The amount for which a single foreign rupee money order may be issued shall not exceed Rs. 600, and shall not include any fraction of an anna.

2. The amount for which a single foreign sterling money order may be issued, shall not exceed £ 10, except in the cases specially notified by the Director-General in the *Post Office Guide*. No such money order shall include any fraction of a penny.

3. The amount of a foreign sterling money order shall be paid to the Post Office in rupee currency at such rate of exchange as the Director-General shall, from time to time, direct.

122. In the case of foreign rupee money orders the rates of commission shall be the same as those for the time being charged on inland money orders.

2. In the case of foreign sterling money orders, the rates of commission shall be the following, namely :—

	Rs.	A.
On any sum not exceeding £1	0	3
" " exceeding £1 but not exceeding £2	0	5
" " " £2 " " £3	0	8
" " " £3 " " £4	0	10
" " " £4 " " £5	0	12
" £5	0	12 for each complete sum of £5 and 12 annas for the remainder, provided that if the remainder does not exceed £1, the charge for it shall be 3 annas; if it does not exceed £2, the charge for it shall be 5 annas; if it does not exceed £3 the charge for it shall be 8 annas; and if it does not exceed £4 the charge for it shall be 10 annas.

3. Where foreign sterling money orders have to be remitted through the agency of the British Post Office as notified by the Director-General in the *Post Office Guide*, a further deduction will be made by the British Post Office from the amount payable to the payees at the following rates, namely :—

For any sum not exceeding £5	3*d*.
For every additional £5 or fraction thereof	3*d*.

123. The Director-General may at any time direct that foreign sterling money orders shall not be issued from the Aden Post Office or from any of the post offices established by the Governor-General in Council at any of the marginally-named places* beyond the limits of British India, except on payment of special rates of commission higher than those prescribed by rule 122-2.

* Bagdad.
Bahrain.
Bandar Abas.
Bushire.
Busrah.
Guadur.
Jask.
Linga.
Mohammerah.
Muscat.

124. The remitter of a foreign rupee money order shall, unless the money order is one for which an advice of payment as provided for in sub-rule 3 can be had, be entitled to receive free of charge an acknowledgment of the payment of the order signed by the payee.

2. The remitter of a foreign sterling money order from any post office (except at Aden) shall, unless the money order is one for which an advice of payment as provided for in sub-rule (3) can be had, be entitled to receive free of charge an intimation from the Indian Post Office of exchange that the money order has been communicated to the country of payment.

3. The remitter of a foreign money order to any of the countries or places specially notified in that behalf by the Director-General from time to time in the *Post Office Guide*, shall be entitled to receive an advice of its payment from the foreign post office of payment by paying the following fee in addition to the commission chargeable on the money order :—

In respect of a foreign sterling money order	Two annas.
In respect of a foreign rupee money order	One anna.

4. When the remitter of a foreign money order has not paid the fee for an advice of payment and desires to have an enquiry made by the Post Office regarding the disposal of the money order, he shall be entitled to this service on payment of the same fee as that chargeable for an advice of payment.

125. In the case of a foreign sterling money order the remitter may, by application in writing accompanied by the money order receipt, require the Indian Post Office of exchange (at Bombay, Madras or Aden, as the case may be) to request the country of payment to alter the address of the payee in the money order, or to pay the amount thereof to some person other than the payee named in the order, or to stop payment of the order.

The office of exchange will communicate the result of the reference without charge to the remitter, and, if payment is stopped, the amount of the order shall be refunded to the remitter, but the commission shall not be refunded.

2. In the case of a foreign rupee money order the remitter may require similar services in accordance with rules 98, 99 and 100 relating to inland money orders.

126. Rules 89, 90, 91, 92 and 96, relating to inland money orders, shall be equally applicable to the issue of foreign money orders.

127. Foreign sterling money orders received for payment in India shall be paid as if they were inland money orders, the amount in sterling of the original money order being converted into rupee currency by the Indian Post Office of exchange (at Bombay, Madras or Aden, as the case may be) at such rate of exchange as the Director-General may, from time to time, direct.

128. The payment of a foreign money order shall ordinarily be made at the address of the payee. It shall be made on his signing the order and acknowledgment (except when otherwise provided by the Director-General) in a case of a foreign rupee money order, and on his signing the order in the case of a foreign sterling money order.

129. Under no circumstances can a foreign money order, whether a rupee money order or a sterling money order, be paid after it has been treated as void or returned to the country of issue.

130. Rules 95, 96, 97 and 101, relating to inland money orders, shall be equally applicable to the payment of foreign money orders.

Telegraphic foreign money orders.

Indo-Ceylon telegraphic money orders.

131. The amount for which a single Indo-Ceylon telegraphic money order may be issued in India shall not exceed Rs. 600, and shall not include any sum less than a rupee.

132. The fee for a telegraphic money order issued in India for payment in Ceylon shall be charged at the rate of commission applicable to an ordinary money order drawn on Ceylon for the same amount *plus* a telegraph charge calculated on the actual number of words used in the telegram advising the remittance, at the rate of one rupee for the first twelve words and two annas for each additional word. The remitter may have a private communication to the payee added to the telegram advising the remittance on paying for the additional words in excess of twelve at the rate of two annas a word.

133. Rules 105, 106, 107, 108 and 112, relating to telegraphic inland money orders shall be equally applicable to the issue of the Indo-Ceylon telegraphic money orders.

134. The payment in India of an Indo-Ceylon telegraphic money order shall ordinarily be made, as soon as practicable after the receipt of the telegraphic advice, at the address of the payee on his signing a receipt for the amount paid.

135. If the payment of an Indo-Ceylon telegraphic money order cannot be made by the post office in India to which it was addressed, the money order shall be reissued by telegraph, free of any further charge, for repayment to the remitter.

136. Rules 111 and 112, relating to telegraphic inland money orders, shall, as far as may be, apply to the payment in India of Indo-Ceylon telegraphic money orders.

Indo-Seychelles telegraphic money orders.

137. Telegraphic money orders may be issued from any post office in India (including Burma) and from the head post office at Aden for any post office in the Seychelles, or from any post office in the Seychelles for any post office in India (including Burma) and for the head post office at Aden. The limits of value and other conditions laid down in the foregoing rules relating to Indo Ceylon telegraphic money orders shall apply to telegraphic money orders for and from the Seychelles:

Provided that the fees for such telegraphic money orders shall be made up of (i) the money order commission at the rates applicable to ordinary money orders for the Seychelles and (ii) a telegraph charge at the rate of Re. 1-11-0 for every word included in the telegram advising the remittance in the case of telegraphic money orders from India (including Burma); or at the rate of Re. 1-8-0 for every word included in the telegram advising the remittance in the case of telegraphic money orders from the head post office at Aden :

Provided also that no private communication from the remitter to the payee shall be included in the telgram advising the remittance and that telegraphic money orders or repayment to remitters shall be reissued *by post* to the offices of issue.

Foreign money orders telegraphed to offices of exchange.

138. The remitter of a foreign money order drawn on any country except Ceylon and the Seychelles, with which money orders are exchanged, may have the particulars of the money order telegraphed to the Indian office of exchange concerned, and that office shall, on receipt of the telegraphic advice, issue by post a money order on the country of payment under the rules relating to foreign money orders.

139. The fees, the limits of value, and the other conditions laid down in the rules relating to inland telegraphic money orders, shall apply in the case of foreign *rupee* money orders, telegraphed to offices of exchange except that the remitter shall not be entitled to have a private communication added to the telegram advising the remittance.

140. The amount for which a single foreign *sterling* money order may be telegraphed to the office of exchange, shall not exceed £40, and shall not include any broken sum less than £1.

141. A fee for the issue of a foreign *sterling* money order telegraphed to the office of exchange shall be charged at the rate of commission on a foreign sterling money order for the same amount, added to a telegraph charge calculated at the rates for inland telegrams for the actual number of words used in the telegram advising the remittance, according as the telegram is to be sent as an "Express" or as an "Ordinary" message.

142. Rules 105, 106, 107, 108 and 112 relating to telegraphic inland money orders shall be equally applicable to foreign *sterling* money orders telegraphed to offices of exchange.

PART VII.—OFFICIAL POSTAL ARTICLES.

I.—Inland official postal articles.

143. Official postal articles shall be transmitted by post under the following conditions:—

(*a*) The rates of postage and conditions of transmission by post hereinbefore prescribed for the different classes of unofficial postal articles and the rules under which such articles may be registered, insured, or sent value-payable shall be applicable also to official postal articles of the same classes.

EXCEPTION.—The condition that postage shall be prepaid in full on postcards does not apply to "Service Unpaid" postcards in the cases mentioned in rules 144 and 148-2.

(*b*) The weight of an official postal article shall not exceed 600 tolas when the article is a letter or packet, or 800 tolas when it is a parcel.

(*c*) Official postal articles, whether the postage is prepaid or not, shall bear the superscription "On His Majesty's Service" or "On Service," and this shall be supported by the signature and official designation—to be entered in the lower left-hand corner of the article—of the officer who sends the article, or of the Head Clerk or Superintendent of his office or other responsible officer to whom the duty of despatching is confided.

NOTE.—Inland rates of postage and conditions shall be applicable also to official letters, postcards, newspapers and book, pattern, and sample packets, when posted in British India and addressed to any of the places named in the margin for which post offices have been established by the Governor-General in Council beyond the limits of British India or posted at any of the post offices established by the Governor-General in Council at those places and addressed to any other of those places or to any place in British India.

Bagdad. | Bushire.
Bandar-Abbas. | Jask.
Busrah. | Lingah.
Mohammerah.

EXPLANATION 1.—Service postcards bear the inscription "On Service" printed immediately above the impressed stamp. In their case, therefore, no further superscription shall be required.

EXPLANATION 2.—Postmasters may recognize abbreviated designations, provided they are generally known; but no official can claim the recognition of an abbreviation, the rule being that the designation shall be entered in full.

EXPLANATION 3.—Postmasters may recognise *facsimile* impressions of signatures made by means of stamps, but not such impressions when lithographed or otherwise produced. Public officers who use such stamps, shall make arrangements for their proper custody and use; and where there is any reason to suspect the misuse of any such stamp or the absence of proper precautions against its misuse, postmasters may decline to recognise the stamp impression and require strict adherence to the rule. Printed names shall not be recognised in lieu of signatures except in the case of official Gazettes in open covers posted in large numbers by the office of publication.

(*d*) Service stamps affixed to an article which does not bear the prescribed superscriptions supported by the signature and official designation of the sender shall not be recognised by the Post Office in payment of postage.

(e) The delivery and re-direction of articles superscribed "On His Majesty's Service" or "On Service" shall be governed by the official designation (when given) of the addressee.

144. The postage chargeable on the delivery of official postal articles, when the postage is not prepaid or is insufficiently prepaid, shall be as follows:—

On an unpaid letter or packet	The prepaid rate.
On an insufficiently paid letter or packet	The deficiency.

2. In cases where it is not thought advisable to entrust postage stamps to a subordinate official who has to correspond with, or to send returns to, a superior, he may be allowed by his superior to post to him official articles other than parcels without prepaying the postage, and the same course may be adopted in other cases where it is found convenient or proper to make the postage charge fall on the receiving office.

NOTE.—The prepayment of postage on parcels is compulsory.

145. The following persons shall be entitled to send official postal articles on His Majesty's Service, subject to the conditions noted against each:—

(a) All Government officials, except those who are on leave or have retired from the service, provided that the articles posted by them are *bonâ fide* and exclusively on His Majesty's Service.

(b) The Registrars of the Universities of Calcutta, Madras, Bombay, Allahabad and the Punjab, and of the Educational Syndicate, Burma, provided that the articles posted by them relate solely to the public business of the Universities.

(c) The Astronomer in charge of the G. V. Juggarao Observatory, Vizagapatam, provided that the articles posted by him relate solely to business of the Observatory.

146. Correspondence sent by an officer of a local authority, or by any officer of the Government acting in a capacity connected with a local authority, such as the President or Secretary of a Local Fund Committee, shall not be deemed official correspondence within the meaning of these rules and may not be superscribed as on His Majesty's Service. But nothing in this rule shall be held to prevent the transmission on His Majesty's Service of correspondence sent by an officer of the Government acting as such, although the correspondence may relate to the affairs of a local authority.

ILLUSTRATION.—The Commissioner of a Division, writing in that capacity to the Secretary of a Local Fund Committee concerning its affairs, may superscribe the letter on His Majesty's Service.

147. The postage and other charges (if any) on an official postal article can be properly prepaid only by a proper service stamp or stamps. Where, however, an ordinary postage stamp instead of a service stamp is used on an official postal article, the article shall be recognised as an official postal article by the Post Office; but the irregularity shall be brought by the officer in charge of the post office at which the article was so posted, to the notice of the officer concerned and, if of frequent occurrence, to that of the Postmaster-General.

NOTE.—Service stamps and postcards shall not be sold at post offices but shall be obtainable by Government officials and persons specially authorised to purchase and use service stamps, at Government Treasuries. Service stamps may also be obtained by the public from the Calcutta Central Stamp Depôt, provided that the value of the stamps purchased by any person at one time shall not be less than Rs. 25 and that an extra charge of two annas in the rupee, calculated with face value, shall be made to cover incidental expenses.

148. Letters, postcards and packets posted by officers of the Government in their official capacity, addressed to private individuals or associations, shall, even when they relate to the private interests and concerns of the individuals or associations addressed, be sent as official postal articles, prepaid by means of service stamps.

EXCEPTION.—Nothing in this sub-rule shall affect (a) the practice of the Law Courts in regard to the despatch of "certified copies" to persons who do not appear to take them personally, and of documents filed in judicial cases the return of which has been applied for, or (b) the despatch of packets containing books or publications purchased from Government. Such documents, books, or publications may be posted by the judicial or other Government officers concerned in covers superscribed "Service Unpaid," and covers so superscribed shall be charged, on delivery, with postage at the rates to which they would have been liable if the postage had been prepaid. All articles so posted shall be endorsed under the full signature and official designation of the sender, according to the specimen form given on the margin.

Service unpaid.

A.B.

Calcutta.

C.D.

Commissioner,

Gorakhpur.

2. Letters, postcards and packets, sent by private persons to officers of the Government relating to the affairs of the Government, if superscribed "Service Unpaid" shall be charged, on delivery, with postage at the rates to which they would have been liable if the postage had been prepaid, and not at double rates as in the case of ordinary articles: Provided that any article so sent is addressed to the full official designation of the officer for whom it is intended, and that it has been endorsed under the full signature of the sender according to the specimen form given on the margin.

Service unpaid.
To
The District Superintendent of Police, Lucknow.
Signature of sender.

NOTE.—The prepayment of postage on parcels is compulsory.

EXPLANATION.—Under the provisions of this rule may be sent reports regarding the occurence of crime from a zamindar to a police officer, returns required to be sent from employers of labourers to the Protector and any similar reports or returns authorised to be so sent.

149. The amount of postage marked as due on postal articles delivered under the superscriptions of "Service Unpaid" or "On His Majesty's Service" or "On Service" shall be initialled by the postmaster, or other officer authorised in this behalf by the Postmaster-General, of the office of delivery, and whenever any alteration is necessary in the amount as entered in figures, the amount due shall be written in words and attested by the signature, in full, of the postmaster or other officer aforesaid. Officers of the Government shall be bound to receive, and to pay any postage which may be due on articles addressed to them under the superscription "On His Majesty's Service" or "On Service" and bearing the signature in full of the sender.

II—Foreign official correspondence.

150. Official correspondence transmitted by the foreign post, with the exception of correspondence exchanged with Ceylon, shall be subject to the same rates and be governed by the same rules as ordinary private correspondence. Service stamps may be used on official correspondence addressed to the United Kingdom or British possessions only. If service stamps are used for the prepayment of postage, they shall be supported by the superscription and signature prescribed by clause (c) of rule 143 relating to inland official postal articles.

151. The amount of postage marked as due on postal articles received by the foreign post for delivery to officers of the Government shall be initialled by the postmaster or other officer, authorised in this behalf by the Postmaster-General, of the office of delivery.

152. In the case of official letters (not newspapers or other articles) sent by British Packet to or from the public functionaries, departments, etc., in London, Edinburgh and Dublin having special accounts for foreign letter postage with the London Post Office, the prepayment of postage is not necessary if such letters are superscribed as "On His Majesty's Service," or "On Service," under the full signature and official designation of the sender; but when such letters are presented for registration or insurance, or are presented after the usual closing time, the registration fee and (in the case of insurance) the insurance fee, or the late fee shall always be prepaid by means of service stamps affixed to the article in the ordinary way.

PART VIII.—GENERAL RULES.

I.—Manner of prepayment of postage on postal articles.

153. Where the postage on a postal article is prepaid, the prepayment shall be made by means of a proper stamp or stamps provided for the purpose by the orders of the Governor-General in Council under section 16 of the Act.

154. The postage on a postal article shall not be deemed to be prepaid by means of a proper stamp—

(a) if the stamp is a stamp which has not been provided for use as a postage stamp under section 16 of the Act; or

(b) if the stamp has been obliterated, defaced, torn, cut, or otherwise rendered imperfect; or

(c) if the stamp has upon it any word, letter, figure, or design printed or impressed upon it, otherwise than by the authority of the Government before posting; or

(d) if the stamp has been cut or otherwise separated from an embossed envelope or from a postcard or wrapper:

Provided that nothing in this rule shall prevent the perforation of postage stamps with initials, or other identifying marks, traced in minute holes.

NOTE.—The special registration envelopes provided by the Post Office, bearing embossed stamps denoting the registration fee and the initial rate of letter postage, cannot be used for the transmission of unregistered postal articles.

II.—Price of stamps.

155. Adhesive postage stamps shall be sold in each case for the denoted value of the stamp or stamps.

156. The small half anna oblong envelopes and postcards shall be sold, in each case, for the denoted value of the stamp or stamps which they bear.

157. The envelopes and wrappers specified below shall be sold at the following prices, namely :—

SQUARE ENVELOPES.

Half anna.

		Rs.	A.	P.
For 1 envelope	...	0	0	8
For 2 envelopes	...	0	1	3
For 3 "	...	0	2	0
For 4 "	...	0	2	6
For 5 "	...	0	3	0
Packets of 20	... per packet	0	12	0

OBLONG ENVELOPES.

Commercial, half-anna.

		Rs.	A.	P.
For 1 envelope	...	0	0	7
For 2 envelopes	...	0	1	2
For 3 "	...	0	1	9
For 4 "	...	0	2	3
For 5 "	...	0	2	9
Packets of 20	... per packet	0	11	0

REGISTRATION ENVELOPES.

(1) *Small size.*

		Rs.	A.	P.
Any number less than 16	... Each	0	2	8
Packets of 16	... Per packet	2	10	6

(2) *Large size.*

		Rs.	A.	P.
Any number less than 8	... Each	0	3	2
Packets of 8	... Per packet	1	9	3

WRAPPERS.

(1) *Half-anna.*

		Rs.	A.	P.
Any number less than 6	... Each	0	0	7
Packets of 6	... Per packet	0	3	6

(2) *One-anna.*

		Rs.	A.	P.
Any number less than 6	... Each	0	1	1
Packets of 6	... Per packet	0	6	6

III.—Certificates of posting.

158. A certificate of posting may be obtained in respect of any postal article for which a receipt is not given by the Post Office subject to the following conditions namely :—

(a) the certificate of posting written in ink shall be presented to an officer on duty at the Post Office along with the article to be posted, during the hours fixed for the grant of such certificates ;

(b) the certificate shall contain an exact copy of the addresses on the articles to

which it relates, and shall have a postage stamp, or stamps affixed thereto in payment of a fee to be charged as follows :—

(i) In the case of unregistered letters, postcards, book packets (including registered newspapers) and pattern packets, posted by the same person at one time.	½-anna for every three articles of any of these classes, or for any less number.
(ii) In the case of unregistered parcels (ordinary or value-payable) and value-payable unregistered book packets, posted by the same person at one time.	½-anna for every six articles of either, or both, of these classes, or for any less number.

2. There shall be a separate certificate for each of these two classes of articles (i) and (ii), headed with the words "Certificate of posting" and the actual number of articles in respect of which the certificate is required shall be written in words at the foot of the document.

3. The officer on duty shall compare the number of the articles presented and the addresses on them with the entries in the certificate, and, if the latter be correct, shall obliterate the postage stamps and impress the date-stamp upon the certificate. The certificate shall then be returned to the persons who presented it.

IV.—Late letters and late letter fees.

159. Late letters shall mean letters posted after the hour fixed for the closing of a mail, which cannot be forwarded by the mail then being prepared for despatch without the payment of an additional fee.

160. The ordinary late letter fee for postal articles other than parcels to be transmitted by the Inland or Foreign post shall be half an anna for each postal article.

161. The late letter fee in respect of registration for articles to be transmitted by the Inland or Foreign post shall be two annas for each postal article.

162. In special cases, a higher fee than half-an-anna, but not exceeding four annas, for each postal article, may be charged on postal articles, other than parcels, posted for transmissions by the Inland or Foreign post at Presidency-towns or on board steamers or in other special circumstances. The Director-General shall, from time to time, notify in the *Gazette of India* the amount of such fees and the circumstances in which they are chargeable.

163. Late letters shall be presented at the window of the post office within the hours prescribed for this purpose by the Postmaster-General, and the postage and late letter fee shall be fully prepaid by means of postage stamps.

V.—Re-delivery to the sender of postal articles in course of transmission by post.

164. Inland letters, postcards, book and pattern packets and parcels, and foreign registered articles of the letter mail and foreign registered parcels, which have not been despatched from India, may be recalled when in course of transmission by post without reference to the consent of the addressee subject to the following conditions, namely :—

(a) No such postal article as aforesaid shall be re-delivered to the sender except under the orders of—

(i) the chief postal authority in a postal circle ;

(ii) the Director-General ;

(iii) the Local Government ; or

(iv) the Governor-General in Council.

(b) A fee of one rupee shall be paid in respect of each postal article for the re-delivery of which to the sender an application is made.

(c) An application for the re-delivery to the sender of a postal article may be presented in writing to any of the authorities aforesaid, either direct or through any officer in charge of a post office.

(d) An application shall be received only from the sender of the postal article or from some person authorised in this behalf by the sender in writing.

(e) Every application shall be accompanied by a statement (which may be enclosed in a sealed cover) of the reasons why re-delivery is sought. Such sealed cover shall be opened only by the authority to which the application

is presented, or, where such authority is a Local Government or the Governor-General in Council, by a Secretary to the Local Government or the Government of India, as the case may be.

(*f*) Upon receiving such application and statement, together with the prescribed fee as aforesaid, the officer in charge of the post office shall immediately send the same to the chief postal authority in the postal circle in which he is serving.

(*g*) If the postal article, of which re-delivery is sought, is in his possession, the said officer shall, instead of forwarding it to the addressee, keep it in deposit, and send the application to the said authority.

(*h*) If the postal article is not in his possession, the said officer shall require the officer in charge of the post office of address in the case of an inland postal article, and of the office of foreign exchange in the case of a foreign registered postal article, to abstain from delivering it to the addressee or from sending it to its address, and to keep it in deposit. The requisition to such other officer may be sent by telegraph, but all expenses attending its transmission shall be borne by the applicant.

(*i*) When the application reaches such an authority as is named in condition (*a*) that authority may order the re-delivery to the sender of the postal article upon being satisfied that the applicant is the sender, and that sufficient reasons have been given for the re-delivery, otherwise the postal article shall be sent at once to its address.

(*j*) A letter or postcard in course of transmission by post shall not be re-delivered to any one but the sender or some person authorised in this behalf by the sender in writing.

VI.—Detention in the Post Office of book and pattern packets and parcels.

165. Book packets (other than newspapers) and pattern packets shall not be detained at the post office at which they were posted, for a period exceeding one day.

166. Book packets (other than newspapers) and pattern packets received from abroad shall not be detained in the post office at the port of arrival for a period exceeding one day exclusive of the day on which the mail steamer reaches such port.

Provided that nothing in this rule shall prevent any further detention at the port of arrival that may be necessary for the purpose of customs examination or enquiries.

2. Book packets, containing printed papers obviously without value such as circulars, price lists and advertisements, when received from abroad at Bombay, shall not be detained in the Bombay post office for a period exceeding two days exclusive of the day on which the mail steamer reaches Bombay.

167. The delivery of book packets (other than newspapers), and pattern packets shall not be delayed beyond the delivery next following that by which they would ordinarily be delivered.

168. Parcels shall not be detained at the post office at which they are posted for a period exceeding one day.

169. Parcels received from abroad shall not be detained at the post office at the port of arrival for a period exceeding two days exclusive of the day on which the mail steamer reaches such port.

Provided that nothing in this rule shall prevent any further detention at the port of arrival that may be necessary for the purposes of customs examination or enquiries.

170. Subject to the limitations expressed in rules 168 and 169, parcels shall be delivered at such times and by such deliveries as the Director-General may direct.

VII.—Detention and disposal of undelivered postal articles.

At the post office of address.

171. An undelivered postal article, the addressee of which is not known or has left the station of address without intimating his fresh address to the post office, shall ordinarily be kept in deposit in the head, sub, or branch post office to which it is addressed for a period of seven days after all enquiries to find the addressee have proved unsuccessful.

2. An undelivered postal article, on which the words "Poste Restante," "To await arrival," or similar instructions have been written, shall remain in the post office to which it is addressed—

(a) for a period of four months from the date on which it reached the post office if the office is at a Presidency or seaport town ;

(b) for a period of one month in all other cases.

3. An undelivered postal article shall ordinarily not remain in a post office to which it has been redirected, after it has been ascertained that the addressee cannot be found.

4. An undelivered telegram, which is in course of transmission by post, shall remain in the post office to which it is addressed, for a period of three days from the date on which it reached that office.

172. An undelivered postal article, of which the addressee—

(a) has refused to take delivery, or

(b) is known to have gone away from India without leaving instructions at the post office as to the redirection of his correspondence, or

(c) is dead, and there is no person to whom the article could properly be delivered, shall not be detained in the post office to which it is addressed.

In the office of the Postmaster-General.

173. Packets containing printed papers, obviously without value, such as trade circulars and price lists, which cannot be disposed of under section 38 of the Act, may be disposed of forthwith by being sold as waste paper or destroyed.

174. Postcards which cannot be disposed of under section 38 of the Act, shall be detained for a period of one month, on the expiration of which they may be destroyed by being burnt : Provided that postcards, other than those sent "Service Unpaid" under the provisions of rule 148 on which the postage has not been prepaid, shall be destroyed forthwith by being burnt.

175. Book packets, other than packets mentioned in rule 173, newspapers and pattern packets, which cannot be disposed of under section 38 of the Act, shall be detained for a period of three months, on the expiration of which they may be disposed of by being sold or destroyed. Magazines, periodicals and newspapers may, at the option of the Postmaster-General, be used for any public purpose.

176. Subject to the provisions of section 39, proviso (b), of the Act, parcels which cannot be disposed of under section 38, shall be detained for a period of three months, on the expiration of which the contents, if of no saleable value, may be destroyed.

177. Letters which cannot be disposed of under section 38 of the Act, shall be dealt with as follows :—

(a) Letters containing nothing of intrinsic value shall be detained for a period of—

(i) one month, when they are unregistered, and
(ii) three months, when they are registered.

(b) Other letters shall be detained for a period of—

(iii) three months, when the postage is not prepaid or is insufficiently prepaid, and

(iv) six months, when the postage is fully prepaid.

On the expiration of the prescribed period, the letters shall be destroyed by being burnt.

178. Nothing in these rules shall prevent the immediate destruction of any postal article in exercise of the powers conferred by section 23, sub-section (1), of the Act.

VIII.—Complaints against the Post Office and the Telegraph Department.

179. Letters containing complaints against the Post Office or the Telegraph Department may be transmitted by the inland post, free of postage, provided that they are addressed to a postal or telegraph officer, and provided that it is certified on the cover under the full signature of the sender, that they are complaints against the Post Office or the Telegraph Department, as the case may be.

IX.—Gratuities to be paid to masters of ships.

180. With effect from the first day of April, 1908, gratuities shall be payable to the masters of ships, not being mail ships, in respect of postal articles received by them for conveyance on behalf of the Post Office, at the following rates, namely :—

	Rs.	A.	P.	
Letters and postcards	1	3	0	per pound.
Packets	0	2	0	per pound.
Parcels	0	1	0	per pound or part of that weight.

NOTE.—As regards letters and postcards or packets, for a lower or higher weight than one pound, the gratuity payable shall be proportionately lower or higher, as the case may be.

181. The gratuities shall be payable at the time when the mail bags are made over to the masters of the ships by which they are to be conveyed, and on the granting of a receipt for the bags in the form below :—

Received from the Postmaster ______________________
the following mail bags :— ______________________

From	To	No.	REMARKS.
Total (in figures and words)			

Dated A. M. / P. M. ______________ 19 .

Master ______________

S. S. " ______________ "

N. B.—When one form is not sufficient for all the entries, the forms which are used must be numbered in consecutive order, and the word "Last" must be written at the top of the last form.

X.—Authorising Postal Officials to search for and to intercept certain prohibited articles.

182. Postal articles found in course of transmission by post to bear words, marks or designs of a seditious character shall be made over to the Provincial Criminal Intelligence Department for disposal. All other postal articles which are sent by post in contravention of section 20 of the Act, shall be destroyed or otherwise dealt with in such manner as the Postmaster-General may direct.

183. The officers noted in the margin are empowered to search, or cause search to be made for birds' skins and feathers in course of transmission by post to any place out of British India, the taking of which by sea or by land out of British India is prohibited. The said officers shall deliver all such skins and feathers found to the nearest Collector of Customs.

(1) The Presidency Postmaster, Deputy Postmaster and Assistant Postmasters at Bombay.
(2) The Postmaster, Belgaum (Bombay).
(3) The Assistant Mail Officers, Bombay-Aden Sea Post Office.
(4) The Postmaster and Deputy Postmaster of Karachi.
(5) The Postmaster of Quetta (for articles for Seistan and Khorasan in Persia).
(6) The Presidency Postmaster, Deputy Postmaster, and Assistant Postmasters at Madras.
(7) The Postmaster and Deputy Postmaster at Tuticorin.
(8) The Postmaster, Negapatam.
(9) The Postmaster, the Deputy Postmaster, and the Assistant Postmasters at Rangoon.
(10) The Presidency Postmaster, the Deputy Postmaster, and the Assistant Postmasters at Calcutta.

184. The officers noted in the margin are empowered to search, or cause search to be made for—

(1) The Mail Officer for the time being in charge of the Bombay Aden Sea Post Office.
(2) The Postmaster and the Deputy Postmaster at Karachi.
(3) The Presidency Postmaster, the Deputy Postmaster, and the Assistant Postmasters at Bombay.
(4) The Presidency Postmaster, the Deputy Postmaster, and the Assistant Postmasters at Madras.
(5) The Postmaster and the Deputy Postmaster at Tuticorin.
(6) The Presidency Postmaster, the Deputy Postmaster, and the Assistant Postmasters at Calcutta.
(7) The Postmaster, the Deputy Postmaster, and the Assistant Postmasters at Rangoon.
(8) The Postmaster at Akyab.
(9) The Postmaster at Negapatam.

(*a*) Opium and all alkaloids of opium and all intoxicating drugs made from the poppy.

(*b*) Ganja, bhang and charas and every intoxicating drink or substance prepared from any part of the hemp plant (*Cannabis sativa*),

(*c*) Coca leaves, alkaloids of coca, every other intoxicating drink or substance prepared from the coca plant (*Erythroxylum coca*) and all drugs, synthetic or other, having a like physiological effect to that of cocaine,

(*d*) All preparations and admixtures of any of the above,

the bringing of which by sea or by land into British India is prohibited in course of transmission by post to any place in British India. The said officers shall deliver all such articles found to the nearest officer for the time being in charge of the Excise Administration, and the articles shall be disposed of in accordance with the rules for the time being in force relating to the drugs and substances referred to above, confiscated under the provisions of the Excise law in force for the time being in the part of British India in which the actual delivery of the articles so found was made to the Excise officer aforesaid.

185. The officers noted in the margin are empowered to search or cause search to be made, for hypodermic syringes or needles for hypodermic injections, the bringing of which by sea or by land into Burma is prohibited in course of transmission by post to any place in Burma. The said officers shall deliver all such articles found to the nearest Customs officer for disposal in accordance with the provisions of the Sea Customs Act, 1878 (VIII of 1878).

(1) The Postmaster, the Deputy Postmaster, and the Assistant Postmasters at Rangoon.
(2) The Postmaster at Akyab.

186. The officers noted in the margin are empowered to search, or cause search to be made for any copy of seditious publications, the bringing of which by sea or by land into British India is prohibited, in course of transmission by post to any place in British India. The said officers shall deliver all such copies of publications found to the Director of Criminal Intelligence.

All officers in charge of head or sub-post offices including Deputy and Assistant Postmasters, all Assistant Mail Officers in charge of Sea Post Office Sets and all Superintendents, Assistant Superintendents, Inspectors and Head Sorters of the Railway Mail Service.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

ECCLISIASTICAL.

Simla, the 25th April, 1913.

No. 184.—The services of the Reverend H. G. England, M.A., are replaced at the disposal of the Government of the Punjab, with effect from the date on which he relinquishes charge of his duties as Assistant Chaplain of Delhi.

L. C. PORTER,

Secretary to the Government of India.

DEPARTMENT OF EXPLOSIVES.

NOTIFICATION.

Dated Simla, the 18th April 1913.

No. 640.—With reference to notification No. 4555—4, dated the 31st May 1907, of the Government of India, Department of Commerce and Industry, Publishing rules to regulate the transport and importation of explosives, the following list of "authorized explosives" referred to in rule 9 (1) of the above rules is published for general information :—

LIST OF AUTHORIZED EXPLOSIVES.

The following explosives are at present authorized for importation into British India, for general sale :—

Class 1.—GUNPOWDER.

GUNPOWDER.

Class 2.—NITRATE MIXTURE.

AMMONAL.

CHILWORTH SPECIAL POWDER.

Class 3.—NITRO-COMPOUND.

Every explosive in this class and every explosive ingredient thereof shall be so thoroughly purified and otherwise of such character as to satisfy a test known as the heat test, and specified in the rule for testing explosives, published with notification No. 4555—4, dated the 31st May 1907, referred to above.

Division 1.

ARDEER GELIGNITE.

BALLISTITE.

BLASTING GELATINE.

CAMBRITE.

CARBONITE.

CELTITE.

CHILWORTH SMOKELESS POWDER NO. 2.

CORDITE.

CORDITE, M. D.

DYNAMITE.

FARMER'S DYNAMITE.

GELATINE DYNAMITE.

GELIGNITE.

MONOBEL POWDER.

PHŒNIX POWDER.

SAMSONITE.

Provided that every explosive in this division shall be of such character and consistency as not to be liable to liquefaction or exudation.

Division 2.

AMBERITE NO. 2.
CHILWORTH SMOKELESS POWDER.
CHILWORTH SMOKELESS SPORTING POWDER.
E. C. SPORTING POWDER.
EMPIRE POWDER.
GUNCOTTON.
HENRITE.
IDEAL POWDER.
IMPERIAL SCHULTZE GUNPOWDER.
NEGRO POWDER.
NEONITE.
NOBEL'S SPECIAL POWDER OR IDEAL POWDER.
N. S. SMOKELESS.
PICRIC ACID.
PICRIC POWDER.
PRIMROSE SMOKELESS.
RENDITE.
ROBURITE.
RUBY POWDER.
SCHULTZE CUBE POWDER.
SCHULTZE GUNPOWDER.
SMOKELESS DIAMOND.
TONITE OR COTTON POWDER.

Class 4.—CHLORATE MIXTURE.

Nil.

Class 5.—FULMINATE.

Nil.

Class 6.—AMMUNITION.

Division 1.

NOBEL'S SAFETY ELECTRIC TIME FUZE.
PERCUSSION CAPS.
RAILWAY FOG SIGNALS.
SAFETY CARTRIDGES.
SAFETY FUZES FOR BLASTING.
SAFETY ELECTRIC FUZES.

Division 2.

CARTRIDGES FOR CANNON, SHELLS, MINES, BLASTING OR OTHER LIKE PURPOSES.
CARTRIDGES FOR SMALL ARMS WHICH ARE NOT SAFETY CARTRIDGES.
CORDEAU BICKFORD.
ELECTRIC FUZES.
FILLED SHELLS.
FUZE LIGHTERS.
FUZES FOR SHELLS.
TUBES FOR FIRING EXPLOSIVES.
WAR ROCKETS.

Division 3.

CARTRIDGES FOR SMALL ARMS WHICH ARE NOT SAFETY CARTRIDGES.

DETONATORS.

ELECTRIC DETONATORS.

FRICTION TUBES.

FUZES FOR SHELLS.

NOBEL'S ELECTRIC DETONATOR TIME FUZE.

QUICK FIRING AMMUNITION.

TUBES FOR FIRING EXPLOSIVES.

Class 7.—FIREWORK.

Division 1.

Nil.

Division 2.—*Manufactured Fireworks.*

MANUFACTURED FIREWORKS.

ALUMINIUM TORCHES.

AMORCES.

CHINESE CRACKERS.

ELECTRIC SPARKLERS.

MAGNESIUM TORCHES.

PYROTECHNIC MATCHES.

ROCKETS.

SIGNAL LIGHTS.

C. A. MUSPRATT-WILLIAMS, LIEUT.-COL., R. A.,
Chief Inspector of Explosives in India.

CHIEF COMMISSIONER, DELHI.

NOTIFICATIONS

Delhi, the 18th April 1913.

No. 3153-*Education*.—The services of Reverend H. G. England, Assistant Chaplain of Delhi, are replaced at the disposal of the Government of India with effect from the date on which he may relinquish charge of his duties at Delhi.

No. 3189-*P. W.*—Captain G. E. Sopwith, R. E., is granted combined leave for 7 months and 5 days with effect from the 16th April 1913 or the subsequent date from which he may be relieved of his duties under the Chief Engineer of Delhi.

The 19th April 1913.

No. 3200-*Home.*—Mr. C. L. Dundas, I.C.S., Divisional Judge, Delhi, is granted privilege leave for 2 months and 15 days, combined with furlough for 3 months and 15 days, with effect from the 28th April 1913, or the subsequent date from which he may avail himself of it.

By order,
G. WORSLEY,
Offg. Personal Assistant to Chief Commissioner, Delhi.

Punjab Government Press, Lahore—2-5-13—209—850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MAY 9, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MAY 3, 1913.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 1st May, 1913.

No. 1550-M.—Their Excellencies the Viceroy and Lady Hardinge will hold a Drawing Room at Viceregal Lodge, Simla, on Monday, the 9th June 1913, at 9-30 P.M.

Admission to the Drawing Room will be by ticket only.

Ladies who have already been presented at the Court of St. James, or at the Viceregal Court, and who desire to attend the Drawing Room, are requested to apply in writing to the Military Secretary to the Viceroy, Simla, *on or before the 2nd of June*, stating at which Court they have been presented. Applications reaching the Military Secretary after this date cannot be considered.

Ladies who enjoy the privilege of the Private Entrée, need not apply for tickets, but will signify their intention of being present and will bring with them their own cards on which their names should be very clearly hand printed.

Ladies who have not been presented at the Court of St. James, or at the Viceregal Court, and who desire to attend the Drawing Room, will make their applications to be presented through ladies who have had the honour of presentation at the Court of St. James, or at the Viceregal Court.

Note.—No applications can be received by the Military Secretary to the Viceroy from those ladies themselves who wish to be presented. Their names must be forwarded by the lady who proposes to make the presentation.

Ladies who desire, and who are eligible to present others, should apply to the Military Secretary to the Viceroy, Simla, not later than the 24th of May for presentation cards, which, on receipt, should be filled in and returned to the Military Secretary, *not later than the 31st May*.

Tickets for those ladies whose presentation to Their Excellencies has been approved will then be forwarded to the ladies making the presentation.

Ladies, who present others, must themselves attend the Drawing Room.

Ladies attending the Drawing Room will appear in full evening dress, but will not wear trains or feathers.

Gentlemen accompanying ladies by the Private Entrée will leave them at the entrance to the dining room and re-join them in the ball room.

Gentlemen accompanying ladies by the Public Entrée will leave them in the verandah at the entrance to the hall and will re-join them in the drawing room proceeding to that room *viâ* the south verandah.

Ladies who had intended to be present, but have found themselves unable to do so, should send an explanatory letter to the Military Secretary before, or as soon as possible after, the Drawing Room.

By Command,

F. LEE, *Colonel,*

Offg. Military Secretary to the Viceroy.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 1st May, 1913.

No. 861.—The services of Mr. M. H. Harrison, of the Indian Civil Service, officiating District Judge, Simla, are placed at the disposal of the Chief Commissioner of Delhi, with effect from the date on which he assumes charge of his duties under the Chief Commissioner.

The 2nd May, 1913.

No. 865.—The Hon'ble Sir Louis William Dane, G.C.I.E., C.S.I., has obtained permission from His Excellency the Governor General of India to resign the office of Lieutenant Governor of the Punjab and its Dependencies with effect from the 26th May 1913.

No. 867.—Under the authority vested in him by the 29th Section of the Act 21 and 22 Vict., Cap. 106, His Excellency the Governor General of India is pleased, with the approbation of His Majesty the King, Emperor of India, to appoint the Hon'ble Mr. Michael Francis O'Dwyer, C.S.I., of the Indian Civil Service, to be Lieutenant Governor of the Punjab and its Dependencies, with effect from the date of his assuming charge of that office.

JUDICIAL.

The 1st May, 1913.

No. 525.—The Governor General in Council is pleased to make the following rules in exercise of the powers conferred by [sections 3 and 6 of the Indian Airships Act, 1911 (XVII of 1911):—

Rules.

1. These rules may be cited as the Indian Airship Rules, 1913.

2. In these rules the "Act" means the Indian Airships Act, 1911, and "License" means a license granted under these rules.

3. No person shall possess or use an airship save under and in accordance with the conditions of a license granted under these rules.

4. The authority empowered to grant a license shall be—

(*a*) in any Presidency-town or Rangoon, the Commissioner of Police ;

(*b*) in Aden, the Assistant Resident of Aden ;

(*c*) in any other place, the Magistrate of the district.

5. Every applicant for a license shall furnish the particulars set forth in Form I in the Schedule.

6. On receipt of an application in accordance with the provisions of Rule 5 the licensing authority may, if it thinks fit, grant a license in Form II in the Schedule.

7. Any license may be cancelled by the authority which granted it if such authority is satisfied that such license was obtained by fraud or misrepresentation.

8. Any license may be cancelled by any authority empowered to grant such license if the license-holder contravenes the provisions of the Act or these rules or any condition contained in the license.

9. Subject to the provisions of the Act and of Rules 7 and 8, a license shall be valid throughout British India for a period of one year.

10. On the expiration of a license the same may from time to time be renewed for any period not exceeding one year by any authority empowered to grant a license. The renewing authority shall signify the fact of the renewal by an endorsement on the original license and shall intimate the renewal to the authority which granted the original license if this authority is not the renewing authority.

11. When any license is cancelled under Rule 7 or 8, the licensee shall deliver over the same to the authority cancelling it.

12. Any order made by any licensing authority under these rules shall be subject to revision by the Local Government.

13. The carrying of any explosives, arms or ammunition or wireless telegraphic apparatus on any airship is prohibited.

14. The carrying of any carrier-birds or photographic apparatus on any airship is prohibited; provided that the Local Government may, subject to such conditions and restrictions as it may impose, grant permission, to be recorded in writing, to the licensee of an airship to carry carrier-birds or photographic apparatus thereon.

15. Every licensee shall produce his license and produce or account for the airship covered by such license when called upon to do so by any Magistrate, or any Police officer above the rank of head-constable, or, if no Magistrate or Police officer of such rank is present, any commissioned officer of His Majesty's Royal Navy, Royal Indian Marine or land forces in India.

16. Any Magistrate or officer empowered under Rule 15 may—

(*i*) enter, inspect and examine any place, carriage or vessel in which an airship is possessed or used under a license or in which he has reason to believe that an airship has been or is possessed or used in contravention of the provisions of the Act, or of these rules ;

(*ii*) search for airships therein ;

(*iii*) seize, detain and remove any airship which he has reason to believe is possessed or used in contravention of the Act, or these rules ;

(*iv*) search any airship for explosives, arms, ammunition, carrier-birds, photographic or wireless telegraphic apparatus, and seize, detain and remove any such things found therein in contravention of the Act or these rules.

17. Any licensee contravening Rule 11 or 15 shall be punishable with imprisonment which may extend to one month or with fine which may extend to Rs. 200 or with both.

The Schedule.

FORM I.

See rule 5.

1. Name occupation and residence of applicant.
2. Description of airship.*
3. Maker of airship.
4. Description of engines.†
5. Whence airship has been obtained.
6. Place at which airship will be kept.
7. (*a*) Whether applicant has previously been granted a license, or not, and

   (*b*) If previously granted a license, the date and details of the license and whether cancelled for breach of condition or for any other cause.

FORM II.

Form of license to possess and use an airship (See Rule 6).

No. , of 191 .

License to possess and use an airship granted in accordance with Rule 3 of the Indian Airship Rules, 1913,

________________________ (Name)

of ________________________ (address)

is hereby licensed to possess and use an airship‡ ________________

____

____

____

*The description of the airship shall include the following particulars—

1. For dirigibles—
   - (*a*) Type. Rigid, semi-rigid or non-rigid.
   - (*b*) Cubic capacity of envelope.
   - (*c*) Over all length.
   - (*d*) Diameter.
   - (*e*) Material of which envelope is made and name of maker.
   - (*f*) Total carrying capacity in weight.
   - (*g*) Total carrying capacity in number of passengers.
2. For aeroplanes.—
   - (*a*) Type. Monoplane or bi-plane.
   - (*b*) Whether tractor or propeller driven.
   - (*c*) Total span (port to starboard).
   - (*d*) Total length (fore and aft.)
   - (*e*) Height.
   - (*f*) Total carrying capacity in weight.
   - (*g*) Total carrying capacity in live load including pilot.
   - (*h*) Disposal of seating accommodation, *i. e.*, side by side or tandem.
   - (*i*) Position of driving seat in relation to passengers, *i. e.*, in front or behind or right or left.
   - (*j*) Whether fitted with dual control.

†The description of engines shall include a statement of the number and size of the cylinders and the horse power developed.

‡Here give particulars in accordance with the application.

This license is granted subject to all the provisions of the Indian Airships Act, 1911, and of the Indian Airship Rules 1913, and to the following conditions, namely :—

(1) The licensee shall notify either personally or by registered letter the authority by whom this license is granted of any change in the place where such airship is kept, provided that such change is for a period exceeding fifteen days.

(2) The licensee shall notify either personally or by registered letter the said authority of the destruction, loss, export, transfer or intended transfer of the said airship, and in case of transfer of the name and address of the transferee or intending transferee.

(3) The licensee shall return the license to the authority granting it when the airship is destroyed, exported, transferred, sold or lost beyond recovery.

(Signature) ____________________,

Commissioner of Police ____________________

or District Magistrate ____________________

or Assistant Resident ____________________

Dated ____________________

W. S. MARRIS,

Offg. Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 2nd May 1913.

PROMOTIONS.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 370.—Consequent on the grant of combined leave to Major F. S. Walker, Indian Army, Cantonment Magistrate, 3rd grade (officiating 2nd grade), the following promotion is notified :—

Lieutenant-Colonel M. Stevens, Cantonment Magistrate, 3rd grade, to be officiating Cantonment Magistrate, 2nd grade ; with effect from the 17th March 1913.

VOLUNTEER CORPS.

MEDALS AND DECORATIONS.

No. 383.—His Excellency the Governor-General of India is pleased to confer the Volunteer Officers' Decoration upon the undermentioned officers :—

* * * * *

Simla Volunteer Rifles.

Lieutenant Harry Macleod Leonard Marchant.

CANTONMENTS.

REGULATIONS.

No. 384.—The following draft of a rule, which it is proposed to make in exercise of the powers conferred by section 24 of the Cantonments Act, 1910 (XV of 1910), is published as required by section 25, sub-section (1), of the said Act, for the information of persons likely to be affected thereby, and notice is given that the draft will be taken into consideration by the Governor General in Council on or after the 7th June 1913.

Any objection or suggestion, which may be received from any person with respect to the draft before the date fixed aforesaid, will be considered by the Governor-General in Council.

Draft rule

To the Cantonment Code, 1912, which was published with the notification of the Government of India in the Army Department, No. 192, dated the 1st March 1912, the following shall be added, namely :—

After section 141 the following section shall be inserted :—

" 141-A. No person shall cross any unenclosed space under the control of the cantonment authority upon which a notice prohibiting thoroughfare is displayed by the cantonment authority."

No. 385.—The following draft of an amendment which it is proposed to make in exercise of the powers conferred by section 24 of the Cantonments Act, 1910 (XV of 1910), is published as required by section 25, sub-section (1), of the said Act, for the information of persons likely to be affected thereby, and notice is given that the draft will be taken into consideration by the Governor-General in Council on or after the 7th June 1913.

Any objection or suggestion, which may be received from any person with respect to the draft before the date fixed aforesaid, will be considered by the Governor-General in Council.

Draft amendment.

In the Cantonment Code, 1912, which was published with the notification of the Government of India in the Army Department, No. 192, dated the 1st March 1912, the following modification shall be made, namely :—

In Schedule IV, Part B, after—

" 170. Bathing or washing at public well, or spring so as to pollute the water," the following shall be inserted—

" 171. Bathing or washing at any public place which has been prohibited."

W. R. BIRDWOOD, MAJOR-GENERAL,
Secretary to the Government of India.

Punjab Government Press, Lahore—9-5-13—348—850.

Government Gazette
PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MAY 16, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MAY 10, 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 7th May, 1913.

No. 912.—Mr. R. Sykes is permitted to resign His Majesty's Indian Civil Service with effect from the 17th February 1913.

The 9th May, 1913.

No. 928.—The Hon'ble Sir F. A. Robertson, Kt., is permitted to resign His Majesty's Indian Civil Service with effect from the 29th April 1913, or the subsequent date on which he may sail from India or relinquish charge of office in the event of his not taking subsidiary leave.

MEDICAL.

The 7th May, 1913.

No. 220.—The services of Captain O. A. R. Berkeley-Hill, M.B., I.M.S., are placed temporarily at the disposal of the Government of the Punjab.

W. S. MARRIS,

Offg. Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATION.

SEPARATE REVENUE.

STAMPS.

Judicial.

Simla, the 6th May, 1913.

No. 501-*F*.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870), the Governor General in Council is pleased to cancel (*i*) clauses 28 to 30 inclusive and 32 to 34 inclusive of the Notification of the Government of India in the Department of Finance and Commerce, No. 4650, dated the 10th September 1889, and (*ii*) Notifications of the Finance Department, Nos. 2844-S.R. and 4415-Exc., dated, respectively, the 23rd May 1902 and the 22nd August 1910.

J. B. BRUNYATE,

Offg. Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

ECCLESIASTICAL.

Simla, the 9th May, 1913.

No. 208.—The following extract from a despatch from His Majesty's Secretary of State for India, No. 107-Public, dated the 18th April 1913, is published for general information :—

I have to inform your Excellency in Council that His Majesty has been pleased to approve the appointment of the Reverend Henry Bickersteth Durrant, M.A., to be Bishop of the See and Diocese of Lahore in succession to the Right Reverend George Alfred Lefroy who has been appointed to be Bishop of Calcutta.

* * * * * * * *

L. C. PORTER,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 9th May 1913.

APPOINTMENTS.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 387.—The services of Captain A. C. D. Thorne, 103rd Mahratta Light Infantry, are placed at the disposal of the Government of Bombay for employment as an officiating Cantonment Magistrate.

FURLOUGH AND LEAVE.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 389.—Major W. T. Barry, Indian Army, has been granted combined leave out of India for six months and three days, the first two months and eighteen days being privilege leave and the remainder leave on private affairs; with effect from the 14th April 1913.

PROMOTIONS.

INDIAN SUBORDINATE MEDICAL DEPARTMENT.

ASSISTANT SURGEON BRANCH.

Bengal Establishment.

No. 392.—The following promotions are made, subject to His Majesty's approval :—

1st Class Assistant Surgeon George Francis Byers (*seconded*) to be Senior Assistant Surgeon with the honorary rank of Lieutenant (*seconded*),

* * * * * * * *

vice Senior Assistant Surgeon and Honorary Lieutenant H. L. W. Clark, removed from the service ; with effect from the 10th March 1913.

No. 393.—The undermentioned 2nd Class Assistant Surgeons, having completed seven years' service in that class, to be 1st Class Assistant Surgeons, with effect from the 16th April 1913 :—

William Jeremiah Phillips Martin.

* * * * * * * *

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

Punjab Government Press, Lahore—16-5-13—404—850.

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LAHORE, FRIDAY, MAY 23, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED 10, MAY 1913.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 6th May, 1913.

No. 23.—Mr. R. E. Purves, Superintending Engineer, Punjab, is appointed to officiate as Chief Engineer and Secretary to the Government of the Punjab, Public Works Department, Irrigation Branch, with effect from the 28th April 1913, in the vacancy caused by the retirement of the Hon'ble Mr. W. E. T. Bennett, C.S.I., Chief Engineer and Secretary.

R. P. RUSSELL,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED MAY 17, 1913.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

Simla, the 15th May, 1913.

No. 977.—The services of Mr. J. F. Mitchell, of the Indian Civil Service, Assistant Commissioner, Hoshiarpur, are placed temporarily at the disposal of the Chief Commissioner of Delhi, with effect from the 26th May 1913.

H. WHEELER,

Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATION.

LEAVE AND APPOINTMENTS.

Simla, the 16th May, 1913.

No. 536 *F.*—The following warrant of appointment of a Royal Commission to investigate and report upon certain Administrative questions relating to Indian Finance and Currency is published for general information :—

Whitehall, April 18, 1913.

The KING has been pleased to issue a Commission under His Majesty's Royal Sign Manual, to the following effect : —

GEORGE, R. I.

GEORGE THE FIFTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, to

Our Right Trusty and Well-beloved Counsellor Joseph Austen Chamberlain ;

Our Right Trusty and Well-beloved Edmund Beckett, Baron Faber ;

Our Right Trusty and Well-beloved Arthur, Baron Kilbracken, Knight Grand Cross of Our Most Honourable Order of the Bath ; and

Our Trusty and Well-beloved :—

Sir Robert Chalmers, Knight Commander of Our Most Honourable Order of the Bath, Permanent Secretary to the Treasury ;

Sir Ernest Cable, Knight, formerly President of the Bengal Chamber of Commerce ;

Sir Shapurji Burjorji Broacha, Knight, formerly Sheriff of Bombay ;

Sir James Begbie, Knight, Secretary and Treasurer of the Bank of Bombay ;

Robert Woodburn Gillan, Esquire, Companion of Our Most Exalted Order of the Star of India, Secretary to the Government of India in the Finance Department ;

Henry Neville Gladstone, Esquire ; and

John Maynard Keynes, Esquire, Fellow of King's College in Our University of Cambridge, and Lecturer in Economics,

Greeting !

Whereas We have deemed it expedient that a Commission should forthwith issue to inquire into the location and management of the general balances of the Government of India ; the sale in London of Council Bills and Transfers ; the measures taken by the Indian Government and the Secretary of State for India in Council to maintain the exchange value of the rupee in pursuance of or supplementary to the recommendations of the Indian Currency Committee of 1898, more particularly with regard to the location, disposition, and employment of the Gold Standard and Paper Currency Reserves ; and whether the existing practice in these matters is conducive to the interests of India ; also to report as to the suitability of the financial organisation and procedure of the India Office ; and to make recommendations :

Now know ye, that We, reposing great trust and confidence in your knowledge and ability, have authorized and appointed, and do by these Presents authorize and appoint you, the said Joseph Austen Chamberlain (Chairman) ; Edmund Beckett, Baron Faber ; Arthur, Baron Kilbracken ; Sir Robert Chalmers ; Sir Ernest Cable ; Sir Shapurji Burjorji Broacha ; Sir James Begbie ; Robert Woodburn Gillan ; Henry Neville Gladstone and John Maynard Keynes to be Our Commissioners for the purposes of the said enquiry.

And for the better effecting the purposes of this Our Commission, We do by these Presents give and grant unto you, or any three or more of you, full power, at any place in Our said United Kingdom of Great Britain and Ireland, to call before you such persons as you shall judge likely to afford you any information upon the subject of this Our Commission ; and also to call for, have access to and examine all such books, documents, registers and records as may afford you the fullest information on the subject, and to inquire of and concerning the premises by all other lawful ways and means whatsoever.

And We do by these Presents authorize and empower you, or any three or more of you, to visit and personally inspect such places as you may deem it expedient so to inspect for the more effectual carrying out of the purposes aforesaid.

And We do by these Presents will and ordain that this Our Commission shall continue in full force and virtue, and that you, Our said Commissioners, or any three or more of you, may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And We do further ordain that you, or any three or more of you, have liberty to report your proceedings under this Our Commission from time to time, if you shall judge it expedient so to do.

And Our further will and pleasure is that you do, with as little delay as possible, report to Us under your hands and seals, or under the hands and seals of any three or more of you, your opinion upon the matters herein submitted for your consideration.

Given at Our Court at *Saint James's*, the seventeenth day of *April*, one thousand nine hundred and thirteen, in the third year of Our Reign.

By His Majesty's Command,

R. McKenna.

J. B. BRUNYATE,

Offg. Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

SANITARY.

Simla, the 15th May, 1913.

No. 799.—The following prospectus of a Conference on the prevention of infant mortality, which is to be held in London on the 4th and 5th August 1913, under the auspices of the National Association for the Prevention of Infant Mortality and for the Welfare of Infancy, is published for general information.

The Rt. Hon'ble Mr. John Burns has accepted the Presidency of the Conference as well as of the Association.

Under the Patronage of Their Majesties The King and Queen.

National Association for the Prevention of Infant Mortality and for the Welfare of Infancy.

An English-speaking Conference on Infant Mortality will be held at the Caxton Hall, Westminster, on August 4th and 5th **1913.**

PRESIDENT.

THE RT. HON. JOHN BURNS.

EXECUTIVE COMMITTEE.

Chairman :—SIR THOMAS BARLOW, BART., K.C.V.O. (President of the Royal College of Physicians).

Acting Vice-Chairman :—ALDERMAN BENJAMIN BROADBENT.

Vice-Chairman :—COUNCILLOR W. F. ANDERSON, D.L., J.P.

SIR LAUDER BRUNTON, BART., M.D.

(A) **Representatives of Statutory Administrative Authorities.**

Birmingham :—(*)
Bristol :—(*)
Edinburgh :—(*)
Glasgow :—COUNCILLOR W. F. ANDERSON, D.L., J.P.
Huddersfield :—ALDERMAN BENJAMIN BROADBENT.
Leeds :—COUNCILLOR ARTHUR DENNISON, M.D.
Leicester :—(*)
Liverpool :—ALDERMAN SHELMERDINE.
Manchester :—COUNTY ALDERMAN MARGARET ASHTON.
Newcastle :—(*)
West Riding of Yorkshire :—COUNTY COUNCILLOR FORD.
Convention of Royal Burghs :—(*)

*Representative not yet appointed.

(B) Medical Officers of Health.

Birmingham :—JOHN ROBERTSON, Esq., M.D.
Cardiff :—EDWARD WALFORD, Esq., M.D.
Glasgow :—A. K. CHALMERS, Esq., M.D.
Hertfordshire :—FRANCIS E. FREMANTLE, Esq., F.R.C.S., F.R.C.P.
Huddersfield :—S. G. MOORE, Esq., M.D.
Leeds :—J. SPOTTISWOODE CAMERON, Esq., M.D.
Liverpool :—E. W. HOPE, Esq., M.D.
Nottinghamshire :—HENRY HANFORD, Esq., M.D.
St. Pancras :—JOHN F. J. SYKES, Esq., M.D.
Sheffield :—HAROLD SCURFIELD, Esq., M.D.
Staffordshire :—GEORGE REID, Esq., M.D.
West Riding of Yorkshire :—JAMES ROBERT KAYE, Esq., M.B.

(C) Members of the Medical Profession actively engaged in clinical practice.

SIR THOMAS BARLOW, BART., K.C.V.O., M.D.
SIR LAUDER BRUNTON, BART., M.D.
PROF. RICHARD CATON, M.D.
A. DINGWALL-FORDYCE, Esq., M.D.
DAVID FORSYTH, Esq., M.D.
FREDERICK LANGMEAD, Esq., M.D.
MISS JANET LANE-CLAYPON, M.D.
C. PAGET LAPAGE, Esq., M.D.
A. E. NAISH, Esq., M.B.
ERIC PRITCHARD, Esq., M.D.
JOHN THOMSON, Esq., M.D.
G. F. STILL, Esq., M.D.

(D) Representatives of Voluntary Associations and others not included in the previous groups.

MISS BUNTING (St. Pancras School for Mothers).
MRS. KITSON CLARK (Leeds Babies' Welcomes).
JAMES KERR, Esq., M.D. (London Country Council).
MISS M. FITZGERALD (Woolwich Municipal Infant Consultations).
MISS PRUDENCE GAFFKIN, M.D. (Women's National Health Association of Ireland).
MRS W. H. HANNAY (Glasgow Infant Health Visitors' Association).
MISS HOWARD (Women Sanitary Inspector's Association).
MISS M. JESSIE LLOYD (Birmingham Infants' Health Society).
MISS ROSALIND PAGET (Incorporated Midwives' Institute).
C. W. SALEEBY, Esq. M.D.
MRS. H. J. TENNANT.
J. E. WALKER, Esq. (National League for Physical Education and Improvement).

Hon. Treasurers :—DAVID FORSYTH, Esq., M.D., and S. G. MOORE, Esq., M.D.

Hon. Secretaries :—A. K. CHALMERS, Esq., M.D., and ERIC PRITCHARD, Esq., M.D.

Foreign Hon. Secretary :—MISS JANET LANE-CLAYPON, M.D.

Offices :—4, TAVISTOCK SQUARE, LONDON, W.C.

Secretary :—MISS HALFORD.

THE CONFERENCE will be held at CAXTON HALL, WESTMINSTER, on MONDAY AND TUESDAY, AUGUST 4th and 5th, 1913, immediately before the International Medical Congress.

It will be held in two Sections—(*a*) Administratives ; (*b*) Medical—which will sit simultaneously.

PROVISIONAL PROGRAMME OF SUBJECTS TO BE DISCUSSED.

1.—Administrative Section (including the work of Voluntary Organisations).

MONDAY, AUGUST 4TH.

MORNING AND AFTERNOON SESSIONS.—

The Responsibility of Central and Local Authorities in the matter of Infant and Child Hygiene.

TUESDAY, AUGUST 5TH.

MORNING SESSION.—

The Administrative Control of the Milk Supply.

2.—Medical Section.

MONDAY, AUGUST 4TH.

MORNING SESSION.—

The Necessity for Special Education in Infant Hygiene.

AFTERNOON SESSION.—

Medical Milk Problems.

TUESDAY, AUGUST 5TH.

MORNING SESSION.—

Ante-Natal Hygiene.

Delegates from the Overseas Dominions and other English-speaking countries have already promised to attend and take part in the proceedings. The names of these and others who propose to read papers or join in the discussions on the above subjects will be announced later.

Arrangements will also be made for members of the Conference to visit institutions for the welfare of mothers and infants in and near London. Opportunities will also be afforded to members from other countries, if desired, for inspecting special institutions in the Provinces.

CONFERENCE FEES.

The fee for the Conference has been fixed at one Guinea; this entitles subscribers to receive, before the Conference, proofs of the papers to be read and a copy of the Report of the Proceedings, when published.

Members of National or Local Health Societies, affiliated to the National League for Physical Education and Improvement, or its Department, the Association of Infant Consultation and Schools for Mothers, or to the Women's National Health Association of Ireland, and members of the Incorporated Midwives' Institute, will be admitted to the Conference at the reduced fee of 5*s.* each, for which they will not be entitled to receive printed matter. The Report of the Proceedings will be on sale after the Conference at cost price.

All who are interested in this matter are invited to forward their names to the Secretary.

REDUCED RAILWAY FARES.

Arrangements will be made to enable members of the Conference to travel from all parts of the country to London at specially reduced fares.

All communications to be addressed to the Secretary, MISS HALFORD, at 4, TAVISTOCK SQUARE, LONDON, W. C.

L. C. PORTER,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 16*th May*, 1913.

APPOINTMENTS.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 417.—The services of Captain H. V. Reynolds, 82nd Punjabis, are placed at the disposal of the Government of the Punjab for employment as an officiating Cantonment Magistrate.

FURLOUGH AND LEAVE.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 418.—Lieutenant-Colonel R. R. Vaughan, Indian Army, has been granted combined leave out of India for six months, the first two months and eight days being privilege leave and the remainder leave on private affairs ; with effect from the 1st May 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

Simla Volunteer Rifles.

No. 432.—Lieutenant Frank Cecil Beynon resigns his commission. Dated the 1st April 1913.

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

Punjab Government Press, Lahore—23-5-13—435—850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MAY 30, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," EXTRAORDINARY, DATED SIMLA, MONDAY, MAY 26, 1913.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

No. 1048.

Simla, the 26th May, 1913.

The Honourable Mr. Michael Francis O'Dwyer, C.S.I., has, on the forenoon of this day, received charge of the office of Lieutenant-Governor of the Punjab and its Dependencies from the Honourable Sir Louis William Dane, G.C.I.E., C.S.I.

H. WHEELER,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED MAY 24, 1913.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

CIVIL VETERINARY ADMINISTRATION.

Simla, the 20th May, 1913.

No. 1925-85.—The following officers are confirmed in the Civil Veterinary Department from the dates noted opposite their respective names:

Mr. G. Taylor, M.R.C.V.S.—24th June 1912.

* * * * * * * *

Mr. R. Branford, M.R.C.V.S.—23rd November 1912.

J. H. KERR,

Offg. Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

BOOKS.

Simla, the 23rd May, 1913.

No. 244.--The following Orders of His Majesty in Council for giving effect to the ratification by Denmark of the Berlin Copyright Convention of 1908 and the accession of the Netherlands to the Berne Copyright Union, published in the "London Gazette" of the 18th March 1913, are re-published for general information :

* * * * * * * *

At the Court at *Buckingham Palace*, the 17th day of March 1913.

PRESENT :

The KING'S Most Excellent Majesty.

Lord President.

Viscount Knollys.

Lord Stamfordham.

Mr. Herbert Samuel.

WHEREAS His Majesty, by virtue of the authority conferred on Him by the Copyright Act, 1911, and having regard to the provisions of the Berlin Copyright Convention, was pleased to make an Order in Council, dated the 24th day of June 1912 (hereinafter called the Principal Order), extending the protection of the said Act to certain classes of works to which protection is guaranteed by the said Convention :

And whereas the Kingdom of Denmark has ratified the said Convention subject to the reservation mentioned in the Schedule attached to this Order :

And whereas it is expedient that Article (2), Proviso (iii) (*a*), of the Principal Order should be extended so as to apply to newspaper articles (not being serial stories or tales) of which the country of origin is Japan :

Now, therefore, His Majesty, by and with the advice of His Privy Council, and by virtue of the authority conferred upon Him by the Copyright Act, 1911, is pleased to order, and it is hereby ordered, as follows :—

(1) The provisions of Article (2), Proviso (i), Article (2), Proviso (iii) (*c*), Article (2), Proviso (iii) (*d*), and Article (2), Proviso (iii) (*e*), of the Principal Order are hereby revoked so far as they relate to works of which the country of origin is Denmark, and the authors of all such works shall enjoy the same rights as if the said provisions had never related thereto.

(2) In the application of the provisions of Article (3) of the Principal Order to works of which the country of origin is Denmark, the date of this Order shall be substituted for the commencement of the Act and for the commencement of the Principal Order.

(3) Where any person has, before the date of this Order, taken any action whereby he has incurred any expenditure or liability in connection with the reproduction or performance of any work at a time when such reproduction or performance would, but for the making of this Order, have been lawful, nothing in this Order shall diminish or prejudice any rights or interest arising from, or in connection with, such action which are subsisting or valuable at the said date unless the person who, by virtue of this Order, becomes entitled to restrain such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined in accordance with the provisions of the Copyright Act, 1911.

(4) The provisions of Article (2), Proviso (iii) (*a*), of the Principal Order shall apply as if Japan were included amongst the foreign countries named in those provisions.

And the Lords Commissioners of the Treasury are to give the necessary orders accordingly.

Almeric Fitzroy.

SCHEDULE.

RESERVATION MADE TO THE BERLIN CONVENTION.

Country.	Subject.	Substituted provisions of Berne Convention and additional Act of Paris.
Denmark	Newspaper and magazine articles	Article (7) of the Berne Convention as amended by the additional Act.

At the Court at *Buckingham Palace*, the 17th day of March 1913.

PRESENT:

The KING'S Most Excellent Majesty.

Lord President.

Viscount Knollys.

Lord Stamfordham.

Mr. Herbert Samuel.

WHEREAS His Majesty, by virtue of the authority conferred on Him by the Copyright Act, 1911, and having regard to the provisions of the Berlin Copyright Convention, was pleased to make an Order in Council, dated the 24th day of June 1912 (hereinafter called the Principal Order), extending the protection of the said Act to certain classes of works to which protection is guaranteed by the said Convention:

And whereas the Kingdom of the Netherlands has acceded to the said Convention subject to the reservations mentioned in the Schedule to this Order:

Now, therefore, His Majesty, by and with the advice of His Privy Council, and by virtue of the authority conferred upon Him by the Copyright Act, 1911, is pleased to order, and it is hereby ordered, as follows:

The Principal Order shall extend to the Netherlands as if that country were amongst the foreign countries of the Copyright Union therein named, subject to the following modifications:—

(*a*) The provisions of Article (2), Proviso (iii) (*b*), and of Article (2), Proviso (iii) (*c*), of the Principal Order shall apply as if the Netherlands were included amongst the foreign countries named in those provisions.

(*b*) In the application to works of which the country of origin is the Netherlands of sections 1 (2) (*d*) and 19 of the Copyright Act, 1911, the date of this Order shall be substituted for the commencement of the Act in sections 19 (7) and 19 (8) wherever that the expression occurs, and the 1st November 1912, for the passing of the Act.

(*c*) In the application to such works of the provisions of section 24 of the Copyright Act, 1911, the date of this Order shall be substituted for the commencement of the Act wherever that expression occurs in sub-section (1) (*a*), and for the 26th July 1910, in sub-section 1 (*b*).

(*d*) In the application to such works of the provisions of Article (3) of the Principal Order the date of this Order shall be substituted for the commencement of the Principal Order.

And the Lords Commissioners of His Majesty's Treasury are to give the necessary orders accordingly.

Almeric Fitzroy.

SCHEDULE.

RESERVATIONS MADE TO THE BERLIN CONVENTION.

Country.	Subject.	Substituted Provisions of Berne Convention and additional Act of Paris.
Netherlands ...	Translating right	Article 5 of the Berne Convention as amended by the additional Act.
	Newspaper and magazine articles	Article 7 of the Berne Convention as amended by the additional Act.
	Performing right as regards translations.	Article 9, paragraph (2), of the Berne Convention.

L. C. PORTER,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 23rd May, 1913.

FURLOUGH AND LEAVE.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 440.—Major J. W. Harley Lyon, Indian Army, has been granted combined leave for eight months and twenty-four days, the first month and fourteen days being privilege leave and the remainder leave on private affairs; with effect from the 5th May 1913.

W. R. BIRDWOOD, *Major-General,*

Secretary to the Government of India.

Punjab Government Press, Lahore—30-5-13—506—850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JUNE 6, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED MAY 24, 1913.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

ARCHÆOLOGY AND EPIGRAPHY.

Simla, the 23rd May, 1913.

No. 229.—Mr. Gordon Sanderson, Superintendent, Muhammadan and British Monuments, Northern Circle, who was appointed to the Archæological Department by Notification No. 437, dated the 1st December 1910, is confirmed for permanent employment in that Department.

L. C. PORTER,

Secretary to the Government of India.

Panjab Government Press, Lahore—6-6-13—547—850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JUNE 13, 1913.

PART II.

Republication from the "Gazette of India"

FROM THE "GAZETTE OF INDIA," DATED 31ST MAY 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 26th May 1913.

No. 1048.—The Honourable Mr. Michael Francis O'Dwyer, C.S.I., has, on the forenoon of this day, received charge of the office of Lieutenant-Governor of the Punjab and its Dependencies from the Honourable Sir Louis William Dane, G.C.I.E., C.S.I.

The 27th May 1913.

No. 1060.—The Hon'ble Sir Louis William Dane, G.C.I.E, C.S.I., is permitted to resign His Majesty's Indian Civil Service with effect from the 26th May 1913, or the subsequent date on which he may sail from India.

The 29th May 1913.

No. 1077.—The services of Baba Mihan Singh, an Extra Judicial Assistant Commissioner in the Punjab, are placed temporarily at the disposal of the Chief Commissioner of Delhi, for employment as Judge, Small Cause Court, Delhi, with effect from the 16th May 1913, or the date on which he assumed charge of his duties.

MEDICAL.

The 27th May 1913.

No. 337.—The services of Lieutenant-Colonel C. Duer, M.B., F.R.C.S, I.M.S., are replaced at the disposal of the Government of Burma, with effect from the 1st May 1913.

No. 340.—Lieutenant-Colonel C. H. James, C.I.E., F.R.C.S., I.M.S.. is confirmed in the appointment of Civil Surgeon, Simla (West), with effect from the 1st May 1913.

PORT BLAIR.

The 23rd May 1913.

No. 91.—In the Home Department notification No. 482, dated the 20th November 1912, announcing the grant of leave to Lieutenant-Colonel H. A. Browning, I.A., Superintendent, Port Blair, and Chief Commissioner of the Andaman and Nicobar Islands.

for

"with effect from the 17th February 1913"

substitute

"with effect from the 16th February 1913."

No. 94.—In Home Department notification No. 484, dated the 28th November 1912, replacing the services of Lieutenant-Colonel H. A. Browning, I.A., Superintendent, Port Blair, and Chief Commissioner of the Andaman and Nicobar Islands, at the disposal of the Government of Burma.

for

"with effect from the 17th May 1913,"

substitute

"with effect from the 16th May 1913."

No. 97.—In the Home Department notification No. 1123-C., dated the 14th February 1913, appointing Lieutenant-Colonel M. W. Douglas, C.I.E., Deputy Commissioner, 1st grade, Punjab, to officiate as Superintendent, Port Blair.

for

"with effect from the 17th February 1913,"

substitute

"with effect from the 16th February 1913."

H. WHEELER,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 26th May 1913.

No. 1015-*G.*—With reference to the Notifications of the Government of India in the Foreign Department, No. 1923-E. C., and No. 2573-G., dated the 11th May 1906, and the 17th December 1909, respectively, the following Order of His Majesty in Council, which has been published at pages 1854-1855 of *The London Gazette* of the 11th March 1913, is republished for general information:

At the Court at *Buckingham Palace*, the 7th day of March 1913.

PRESENT:

The KING'S Most Excellent Majesty.

Lord President.
Lord Privy Seal.
Master of the Horse.
Lord Chamberlain.
Lord Parker.
Sir Cecil Spring-Rice.

WHEREAS by Treaty, grant, usage, sufferance, and other lawful means, His Majesty the King has certain powers of jurisdiction within the dominions of the King of Siam:

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as "The Siam Order in Council, 1913," and shall be read as one with the Siam Order in Council, 1906, hereinafter called the "Principal Order," and with the Siam Order in Council, 1909, and the said Orders and this Order may be cited together as "The Siam Orders in Council, 1906 to 1913."

2. The power of the Secretary of State under Article 57 (1) of the Principal Order to mitigate or remit the punishment awarded by any Court may be exercised by him either of his own motion, or upon the recommendation of any Court, or upon such medical or other evidence as he may think fit, and whether such punishment was awarded before or after the passing of this Order.

3. The power of the Judge of the Court for Siam under Article 108 of the Principal Order to make Rules of Court shall, from and after the passing of this Order, be exercised by the Minister, and the said power shall extend to Rules for the purpose of amending or repealing Rules in force at the date of this Order.

And the Right Honourable Sir Edward Grey, Baronet, K.G., M.P., one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein.

Almeric FitzRoy.

No. 1016-*G.*—The following Order of His Majesty in Council which has been published in *The London Gazette* of the 14th March 1913, is republished for general information:

At the Court at *Buckingham Palace*, the 7th day of March 1913.

PRESENT:

The KING'S Most Excellent Majesty.

Lord President.
Lord Privy Seal.
Master of the Horse.
Lord Chamberlain.
Lord Parker.
Sir Cecil Spring-Rice.

WHEREAS by section 18 of the Extradition Act, 1870, it is enacted that if by any law or ordinance made after the passing of the said Act by the Legislature of any British Possession provision is made for carrying into effect within such Possession the surrender of fugitive criminals who are in, or suspected of being in, such British Possession, His Majesty may, by the Order in Council applying the said Act in the case of any Foreign State, or by any subsequent Order, either—

Suspend the operation within any such British Possession of the said Act or any part thereof, so far as it relates to such Foreign State, and so long as such law or ordinance continues in force there and no longer;

Or direct that such law or ordinance or any part thereof shall have effect in such British Possession, with or without modifications and alterations, as if it were part of the Act:

And whereas by certain Orders of Her Majesty Queen Victoria in Council Her Majesty was pleased to direct that certain enactments respectively enacted by the Legislatures of the Cape of Good Hope, Griqualand West, and Natal, should have effect in the said British Possessions respectively without modification or alteration as if they were part of the Extradition Act, 1870:

And whereas under the provisions of an Act enacted by the Legislature of the Cape of Good Hope, shortly entitled "The Griqualand West Annexation Act, 1877," the Province of Griqualand West was, on the 15th day of October, 1880, annexed to and thenceforth became a portion of the Colony of the Cape of Good Hope, and it was provided by the said Act that all laws in force in the said Province at the time of the annexation thereof, so far as the same should not be repugnant to or inconsistent with any of the provisions of that Act, should remain in force within that portion of the Colony formed by the said Province until the same should be altered or repealed by law:

And whereas on the 31st day of May 1910, the Union of South Africa was established under the provisions of an Act of Parliament passed in the ninth year of His late Majesty's reign, shortly entitled "The South Africa Act, 1909," and each of the said British Possessions, the Cape of Good Hope and Natal, is now a Province forming part of Union established as aforesaid:

And whereas the Parliament of the Union has under the provisions of the said Act full power to make laws for the peace, order and good government of the Union:

And whereas the Union is a British Possession within the meaning of section 26 of the Extradition Act, 1870:

And whereas by section 28 of an Act enacted by the Parliament of the Union, the short title of which is "The Administration of Justice Act, 1912," it has been provided that all powers vested in and acts authorized or required to be done by a Police Magistrate or a Justice of the Peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, of the Imperial Parliament shall be vested in and exercisable, and shall be performed in the Union by any Magistrate in relation to the surrender of fugitive criminals in the Union:

And whereas His Majesty has been pleased not to exercise his power of disallowance in respect of the said Act:

Now therefore, His Majesty, in pursuance of the Extradition Act, 1870, and in exercise of the powers in that behalf in the said Act contained, doth by this present Order, by and with the advice of His Majesty's Privy Council, direct as follows:

(1) Section 28 of the Administration of Justice Act, 1912 of the Union of South Africa shall have effect in the Union without modification or alteration as if it were part of the Extradition Act, 1870:

(2) The Orders of Her Majesty Queen Victoria in Council enumerated in the Schedule appended hereto are revoked as from the commencement of the said Act.

Almeric FitzRoy.

SCHEDULE.

British Possession.	Date of Order in Council.	Colonial Enactment incorporated with 33 and 34 Vict. c. 52.
Cape of Good Hope ...	15th January, 1878 ...	Extradition Act, Cape of Good Hope, 1877.
Griqualand West ...	26th June, 1879 ...	Extradition Ordinance, Griqualand West, 1879.
Natal	4th February, 1878 ...	Extradition Law, Natal, 1877.

No. 1017-*G*.—The following Order of His Majesty in Council which has been published in *The London Gazette* of the 14th March 1913, is republished for general information:

At the Court at *Buckingham Palace*, the 7th day of March, 1913.

PRESENT:

The KING'S Most Excellent Majesty.

Lord President.
Lord Privy Seal.
Master of the Horse.
Lord Chamberlain.
Lord Parker.
Sir Cecil Spring-Rice.

WHEREAS by an Order of His late Majesty King Edward the Seventh in Council, dated the 8th day of August, 1901, it was provided that, subject to the provisions of such Order, the Fugitive Offenders Act, 1881, should apply as if the Territories named in the First Schedule of such Order were a British Possession, and that Part II of the said Act should apply to the Colonies, Possessions and Territories mentioned in the First and Second Schedules of such Order.

And whereas the Territories specified in Schedule I of the said Order were the Bechuanaland Protectorate, Southern Rhodesia, Barotsiland North Western Rhodesia, the British Central Africa Protectorate, and North Eastern Rhodesia, and the Colonies and Possession specified in Schedule II thereof were the Colony of the Cape of Good Hope, the Colony of Natal, Basutoland, the Orange River Colony, and the Transvaal:

And whereas by a further Order of His late Majesty in Council, dated the 1st day of June 1907, the said Order in Council was amended by the insertion of Swaziland amongst the Territories mentioned in Clause 2 (*a*) and Schedule I of the said Order:

And whereas by an Order of His said late Majesty in Council, dated the 6th day of July, 1907, and known as the Nyasaland Order in Council, 1907, it was amongst other things provided that the Territories theretofore known as the British Central Africa Protectorate should be known as the Nyasaland Protectorate, and that a Governor and Commander-in-Chief should be appointed in and over the said Protectorate in place of a Commissioner:

And whereas under and by virtue of an Act passed in the 9th year of His said late Majesty's reign, shortly entitled the South Africa Act, 1909, the Colonies of the Cape of Good Hope, Natal, the Transvaal, and the Orange River Colony have been united in a Legislative Union under one Government under the name of the Union of South Africa and now form Provinces of the said Union:

And whereas by an Order of His Majesty in Council, dated the 4th day of May 1911, and known as the Northern Rhodesia Order in Council, 1911, the Territories theretofore known as Barotsiland-North Western Rhodesia and North Eastern Rhodesia were included within the limits of the said Order, and it was amongst other things provided that the Territory within the limits of the said Order should be known as Northern Rhodesia:

And whereas it is expedient to consolidate and amend the above recited Orders of His late Majesty King Edward the Seventh in Council, dated the 8th day of August, 1901, and the 1st day of June, 1907:

And whereas by treaty, capitulation, grant, usage, sufferance, and other lawful means His Majesty has power and jurisdiction in and over the Territories known as the Bechuanaland Protectorate, Southern Rhodesia, Northern Rhodesia, Swaziland, and the Nyasaland Protectorate:

Now therefore, His Majesty, by virtue of the powers in this behalf, by the Fugitive Offenders Act, 1881, the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the South Africa Fugitive Offenders Order in Council, 1913.

2. Subject to the provisions of this Order the Fugitive Offenders Act, 1881, shall apply as if the Territories named in the First Schedule of this Order were a British Possession.

3. In the Fugitive Offenders Act, 1881, as hereby applied to the Territories named in Schedule I of this Order, and in this Order with reference to the said Territories, unless the context otherwise requires, the expression "Governor" means the officer for the time being exercising the functions—

(*a*) As regards the Bechuanaland Protectorate, Southern Rhodesia, Northern Rhodesia, and Swaziland, of the High Commissioner for South Africa.

(*b*) As regards the Nyasaland Protectorate, of the Governor of the Protectorate.

4. The jurisdiction under Part I of the Fugitive Offenders Act, 1881, to hear a case and commit a fugitive to prison to await his return may be exercised in the Territories named in Schedule I of this Order by any person having in the said Territories authority to issue a warrant for the apprehension of persons accused of crime and to commit such persons for trial.

5. Part II of the Fugitive Offenders Act, 1881, shall apply to the British Possessions and Territories mentioned in Schedules I and II of this Order.

6. The Governor of each of the British Possessions and Territories named in the Schedules of this Order shall cause this Order to be proclaimed therein, and this Order shall come into operation on a day to be fixed by such Proclamation.

7. The Orders of His late Majesty King Edward the Seventh in Council, dated the 8th day of August, 1901, and the 1st day of June, 1907, shall, as from the date of the coming into operation of this Order, be revoked, without prejudice to anything lawfully done thereunder, or to any proceedings commenced before the said date.

Almeric FitzRoy.

SCHEDULE I.

The Bechuanaland Protectorate.
Southern Rhodesia.
Northern Rhodesia.
Swaziland.
The Nyasaland Protectorate.

SCHEDULE II.

The Union of South Africa.
Basutoland.

A. H. McMAHON,
Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

SALT.

Simla, the 31st May 1913.

No. 4173-16.—Mr. R. A. Gamble, I.C.S., Commissioner, Northern India Salt Revenue, is granted privilege leave for 1 month and 20 days in combination with special leave for 4 months and 10 days, with effect from the 16th May 1913.

Mr. J. F. Connolly, I.C.S., is appointed to officiate as Commissioner, Northern India Salt Revenue, with effect from the 1st June 1913, during the absence on leave of Mr. R. A. Gamble or until further orders.

R. E. ENTHOVEN,
Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

ECCLESIASTICAL.

Simla, the 10th May 1913.

No. 212.—The rules providing (I) for the care and use of Government cemeteries throughout India, except those in the presidency town of the diocese of Calcutta and the presidency town of the diocese of Bombay; (II) for the levy and expenditure of fees on graves and monuments in cemeteries and churches throughout India; (III) for the levy of other ecclesiastical fees throughout India; (IV) for the erection, repair and endowment of monuments in Government cemeteries throughout India, except in the town and suburbs of Calcutta; and (V) for the regulation of grants for the building of churches; the supply of church furniture; and for the payment of compensation for accommodation provided for soldiers in churches neither belonging to, nor rented by Government, have been revised and consolidated and are published for general information and guidance:—

PART I.

Rules for the care and use of Government cemeteries throughout India, except those in the presidency town of the diocese of Calcutta and the presidency town of the diocese of Bombay.

CHARGE OF THE CEMETERY.

RULE 1.—(1) The resident chaplain of a station has charge of the general cemetery, and frames an estimate of the expenditure connected therewith in accordance with the directions contained in paragraph 1 of the Home Department* Resolution Nos. 6—370-382, dated 9th November 1876.

*Appendix A.

(2) The term "resident chaplain" includes a clergyman of the Additional Clergy Society so far as concerns the stations to which he stands appointed, or other clergyman of the Church of England placed in charge by the Bishop.

(3) Where there are lay trustees or a church committee they will have the same powers and responsibilities in regard to the cemetery as in regard to the church. At stations where there are no trustees or committee, there is no resident chaplain or during the temporary absence of the chaplain, the charge of the cemetery vests in the chief magistrate on the spot, or the senior military officer if the cemetery is attached to a military cantonment.

(4) At out-stations where there is a church committee the charge of the cemetery will vest in the senior member of the committee, provided that, if the station does not contain a church which is the property of the Government, the appointment of the senior member of the committee to hold charge of the cemetery will be subject to the approval of the Bishop or Archdeacon who may, if he consider it advisable, appoint some other person to the charge. At out-stations where there is no church committee the charge of the cemetery will vest in such person as may be nominated thereto from time to time by the Magistrate or Deputy Commissioner of the district, but subject to the control of such Magistrate or Deputy Commissioner.

(5) All projects for original works in connection with cemeteries attached to Government churches in civil stations and cemeteries in Imperial Provinces without provincial settlements whether attached to Government churches or not, which require the administrative sanction of the Government of India, should under the Home Department orders Nos. 49—65, dated the 8th February 1907, be submitted by the ecclesiastical authorities to the Local Government, which after examining them will transmit them, with any remarks that it may desire to offer, to the Government of India in the Department of Education for consideration. All proposals relating to the construction or alteration of cemeteries attached to Government churches in cantonments and of other cemeteries in charge of the Military Works Services whether attached to Government churches or not should under the Home Department orders Nos. 58—71, dated the 18th February 1909, be submitted by the ecclesiastical authorities to the General Officer Commanding the Division or Independent Brigade within whose jurisdiction the cantonment is situated, who will forward them to the Director-General of Military Works when the cost of the work is less than Rs. 2,500 and to the Quartermaster-General in India when the cost exceeds Rs. 2,500. The Director-General will submit proposals forwarded to him direct to the Department of Education after consulting the Quartermaster-General unofficially. In the cases of the larger cost the Quartermaster-General after satisfying himself of the necessity for the work proposed will, when the work is to be carried out by the Military Works Services, request the Director-General of Military Works to submit the proposals, together with approximate estimates of their cost and the reports of the local military officers, for the consideration of the Department of Education. When the work is to be carried out by the Public Works Department the Quartermaster-General will request the General Officer Commanding concerned to forward the proposals to the Local Government which, after examination, will transmit them, with any remarks it may desire to offer, to the Government of India in the Department of Education for consideration. Proposals in connection with cemeteries attached to Government churches in railway colonies should be submitted by the managers or agents of the railways concerned to the Railway Board for consideration. Projects for original works in connection with cemeteries not attached to Government churches the charges for which will be debitable to Provincial revenues should be dealt with under the orders of the Local Government concerned.

RULE 2.—Each cemetery is allowed a mali-chaukidar or chaukidars in accordance with the scale prescribed in paragraph 2 of the Home Department Resolution* Nos. 6—370-382, dated 9th November 1876. These chaukidars are paid by Government through the resident chaplain, by whom they are appointed and dismissed. In stations where there is no resident chaplain, the chaukidars are paid, appointed, and dismissed by the other officers named in rule 1. House accommodation for cemetery chaukidars may be provided at the cost of the State.

*Appendix A.

RULE 3.—Every reasonable effort should be made by the resident chaplain or other officer in charge under rule 1, not only to keep the cemetery in decent order, but to preserve its character as the resting place of the remains of departed friends by providing for the necessary repairs and by planting the ground with suitable trees.

NOTE.- Expenditure under this rule will be met in the manner indicated in paragraph 1 of the Home Department Resolution† Nos. 6—370-382, dated 9th November 1876.

†Appendix A.

RULE 4.- The chaukidar will keep the key of the cemetery under the direction of the officer in charge.

RULE 5.—The officer who has charge of the cemetery under the operation of rule 1 will perform all the duties assigned to the chaplain by rules 7, 8, 9, 10, 11, and 12, with the exception of the approval of designs of tombstones and of inscriptions to be cut on them. In the case of a tombstone in that part of the cemetery which is reserved for the Church of England, the proposed design and inscription must be forwarded to the resident or visiting chaplain, or, if there be none, to the Archdeacon, no action being taken to erect the monument till his sanction has been obtained. In all other cases the design and inscription must be approved by the minister of the particular denomination to which the deceased belonged. Should there be no resident or visiting minister of that denomination the inscription and design must be approved by the senior minister belonging to it in the province, or, if there be none, then by the Local Government or Administration. Should a design or inscription be disapproved, it may be referred, if those who are interested desire this, through the ecclesiastical superior of the denomination concerned, to the Local Government or Administration for decision. (*Vide* rules 14 to 20 and Part IV of these rules.)

PERSONS WHO MAY CONDUCT INTERMENTS.

RULE 6.—(1) The chaplain will bury Christians of all denominations whose friends desire his services, as laid down in the orders of the Government of India in the Home Department,* No. 159, dated the 6th June 1877, using always the service of the Church of England and the consecrated portion of the cemetery.

*Appendix B.

(2) A portion of every cemetery will be set apart by the orders of Government for the use of Roman Catholic congregations, and another portion will be appropriated for the joint use of other Christians whose friends desire that they should be interred otherwise than according to the ritual of either the Church of England or of the Church of Rome, or who cannot legally be so interred.

(3) The unconsecrated portions thus set apart are not to be fenced or walled off from the rest of the cemetery, but simply divided off by a pathway, and they must be added to the existing cemetery or reserved from it. If the existing cemetery be large enough for the wants of the whole Christian community, such portions will be reserved without reference to the fact that the whole enclosure has or has not been consecrated according to the rites of the Church of England. If the cemetery be only large enough for the wants of Christians desiring to be buried with the service of the Church of England such portions will be added. The whole cemetery thus divided is to be surrounded by a wall, to have but one gate of entrance, and to be under the care of the officer specified in rule 1.

RULE 7.—(1) Ministers of all denominations have a right to conduct the service of burial over the body of any deceased member of their respective congregations, who may be buried in any fitting portion of the ground set apart for the denomination to which the deceased belonged. At least six hours' previous notice of the burial should be given by the chaplain or minister of the denomination to which the deceased belonged or, in his absence from the station, by the friends of the deceased, to the chaplain in charge of the burial ground, or, in the absence of the chaplain, to the officer who may be in current charge. The chaplain or officer in current charge of the cemetery should, on receipt of the notice, give the conducting chaplain or minister, or, in his absence, the friends of the deceased, a certificate as to the hour when the funeral may take place. The period herein prescribed may, for special reasons, be shortened, with the permission of the chaplain or officer in charge of the cemetery. Such chaplain or officer will, if he thinks the circumstances of the case demand it, bring the facts to the notice of the local magisterial authorities in time to admit of an order stopping the burial being passed if necessary.

NOTE.—The provisions laid down in this rule apply only to civil funerals. Military funerals are regulated by the orders laid down in Army form A-27.

(2) In the cases in which the deceased was in the military or civil employment of Government and the death occurred in a military station it is the duty of the officer commanding the corps or head of the department concerned to inform the minister of the denomination to which the deceased belonged, of the hour at which the funeral may be expected at the cemetery. This report is to be in addition to that required by rule 7 (1).

(3) A certificate of burial drawn up according to the required form must be sent to the chaplain or to the Registrar of births, deaths and marriages, to be entered in the register kept up by him. The officer commanding the station or regiment or the local head of the department with which the deceased was connected is responsible for the submission of the certificate.

RULE 8.—(1) No burial can, as a general rule, take place in that part of a Government cemetery, which has been set apart for the use of members of the Church of England, unless the service prescribed by that Church is read by the chaplain, if there be one, or, in his absence, by the layman who officiates at the funeral. But a person may be interred in the other portions of a Government cemetery with or without the use of any services of religion.

(2) Where in that part of a Government cemetery which has been set apart for the use of members of the Church of England there is a family vault or grave, or a reserved plot of ground purchased by a member of the family, or a masonry grave prepared in immediate contiguity to such family vault or grave or reserved plot, any deceased member of a family may, if the relative, friend, or legal representative having charge of the funeral arrangements shall so desire, be interred in such family vault, grave, or reserved plot without the performance of the service for the burial of the dead according to the rites of the Church of England.

(3) The burial may take place at the option of the person having charge of the same either without any religious service or with such Christian and orderly religious

service at the grave as such person shall think fit; and any person or persons who shall be thereunto invited, or be authorised by the person having charge of such burial, may conduct such service or take part in any religious act thereat.

(4) Notice of any burial which it is intended to conduct under the provisions of clauses (2) and (3) shall be given to the chaplain or other officer in charge of the burial ground in the manner prescribed by rule 7.

ARRANGEMENTS FOR BURYING.

RULE 9.—Where there is a resident chaplain he is responsible for the arrangements for digging a grave and for the preparation of a coffin. Should he find or anticipate difficulty in making private arrangements for digging a grave and preparing a coffin he should apply in military stations to the senior military officer and in civil stations to the chief local magistrate to make the necessary arrangements; and these officers are authorized to direct any local Public Works officer to do all that is necessary. The local Public Works officer will usually be the Assistant Commanding Royal Engineer in military stations and the Civil Executive Engineer in civil stations; but the senior military officer in a military station and the chief local magistrate in a civil station may, in cases of emergency, direct the Civil Executive Engineer or the Assistant Commanding Royal Engineer, respectively, to make the necessary arrangements. The resident chaplain is in all such cases responsible that timely notice is given to the Government officers who may be called upon to arrange for digging a grave and preparing a coffin.

The senior military officer in a military station and the chief local magistrate in a civil station may, should the resident chaplain report that private arrangements for digging graves and preparing coffins are not feasible, issue a general order on the Assistant Commanding Royal Engineer and the Civil Executive Engineer, respectively, to dig graves and prepare coffins upon the requisition of the resident chaplain. The expenditure incurred by the Executive Engineer will be held in his miscellaneous advance account till repaid by the officer under whose special or general order it was incurred.

During the absence of the resident chaplain from the station the senior military officer in a military station and the chief local magistrate in a civil station shall be responsible for the arrangements for digging graves and preparing coffins.

NOTE.—*The expenses incurred in connection with the burial of paupers who die within cantonment limits will be defrayed from cantonment funds under the authority of section 29 (1) (l) of the Cantonment Code. In the case of paupers who die out of cantonment limits, the expenses will be defrayed by the magistrate of the district.*

RULE 10.—The officer in charge of the cemetery shall keep a plan of the entire cemetery to be provided by the Public Works Department or Military Works Services, with references written upon it, in a book, in which the names of parties interred are recorded; this plan and book being kept with the church registers.

NOTE.—The Executive Engineer shall maintain a plan of the cemetery showing on it all the existing graves and the spaces allotted for future graves, giving them all consecutive numbers and giving plot lines also consecutive numbers when he thinks this desirable. Suitable number plates may be provided for the graves.

RULE 11.—The officer in charge of the cemetery may reserve grave space, as limited by rule 12 below, on the application of near relatives of persons already buried in the cemetery and for the burial of the persons named in the application. A double ground fee shall be levied in advance before granting any such application, and each grant shall be registered in a book to be kept for the purpose and indicated on the plan. The ground will then be reserved for ten years. Before the expiry of that period, a fresh application should be made and a further double fee paid, failing which the ground will be resumed.

RULE 12.—The size of each grave, whether of masonry or not, is ordinarily limited to 9′ × 4′, and the area of ground to be enclosed to 11′ × 7′ by external measurement. The Local Government may, however, relax these limits at its discretion.

RULE 13.—(1) All graves must be at least 6 feet in depth. Masonry graves need not be provided with floors.

(2) No body shall be buried in any vault or masonry grave provided with a permanent floor which it is intended at any after time within 14 years to re-open, unless the coffin be separately entombed in an air-tight manner by properly cemented stone or brick work, which shall never be disturbed.

(3) One body only shall be buried in a grave at one time, unless the bodies be those of members of the same family.

(4) No non-masonry grave or masonry grave unprovided with the separate air-tight compartment prescribed in clause (2) shall be re-opened within 14 years after the burial of a person above 12 years of age, or within eight years after the burial of a child under 12 years of age. unless to bury another member of the same family, in which case a layer of earth not less than one foot thick shall be left undisturbed over the previously buried coffin. If on re-opening the grave any soil is found to be offensive, such soil shall be left undisturbed.

(5) There shall never be less than three feet of earth between the topmost coffin in a grave and the surface of the ground.

ERECTION AND REPAIR OF MONUMENTS.

RULE 14.—Monuments may be erected by any interested person. The inscription before being cut and the design, when the monument is other than a simple head-stone, must first be approved of as laid down in rule 5.

RULE 15.—When a grave is not of masonry the only monument ordinarily allowed over it is a simple cross or headstone on an adequate masonry foundation at least $3' \times 2' \times 1\frac{1}{2}'$; and the whole structure must not stand higher than 3′ from the ground level. But, with the permission of the officer in charge of the cemetery, a monument, such as may be erected over a masonry grave, may be placed over a non-masonry grave when adequate masonry foundations are provided on which the monument may rest.

RULE 16.—No monument, of whatever material constructed, shall exceed $8' \times 4'$ at the base without the previous sanction of the Local Government.

RULE 17.—No monument of *masonry* standing higher than 3 feet from the ground level shall be erected without the sanction of the Local Government.

RULE 18.—No cenotaph more than 6 feet square at the base shall be erected without the sanction of the Local Government.

RULE 19.—The enclosure of ground round a grave must be by a metal railing, or by chains or bars of metal supported on masonry or metal pillars or by a plain granite or marble curb on a concrete foundation. Wooden or masonry enclosures are not permitted. The previous sanction of the Archdeacon, or in his absence, of the Bishop, is necessary to the enclosure of a non-masonry grave; and no such sanction will be given unless the fee required by rule 1 of Part II has been paid.

RULE 20.—All work connected with monuments must, as far as possible, be carried on outside the cemetery.

INSPECTION.

RULE 21.—The cemetery should be inspected annually by the officer who has charge of it under the operation of rule 1, in company with the executive engineer, the plan and book kept under rule 10 being also examined, and a report made to the Archdeacon, and recorded in the ecclesiastical record-book of the station, and also in the engineer's office. In stations where there is no resident chaplain and there is difficulty in arranging for a joint inspection by the officer in charge of the cemetery and the executive engineer, the annual inspection may be made by the executive engineer alone, who will forward the report to the Archdeacon through the officer who has charge of the cemetery.

RULE 22.—(1) Commissioners of divisions should inspect cemeteries, whether closed or in use, within their respective jurisdictions, in the course of their annual tours, and should bring to the notice of the Local Government any instances of cemeteries which are negligently kept, or which the officers in charge may have allowed to fall into a state of bad repair or disorder. All cemeteries are equally subject to the visitation and supervision of the Bishop and Archdeacon.

(2) Sanitary officers in cantonments are invited to inspect cemeteries within their respective cantonments and to report to Local Governments any matter calling for notice.

MISCELLANEOUS.

RULE 23.—It is desirable that officers commanding regiments or detachments should be instructed to cause a report to be made to the nearest civil officer of graves dug for soldiers on the march, in order that measures may be taken for their effectual protection and preservation. These graves and all scattered Christian graves throughout the district are under the care of the local civil authorities, who should inspect them frequently and see that they are preserved in good order. Interments should, as far as practicable, be carried out in Government land.

PART II.

Rules for the levy and expenditure of fees on graves and monuments in cemeteries and churches throughout India.

RULE 1.—The following are the rates of fees chargeable:—

	Rs. A. P.
(1) For every square foot of ground occupied by a grave, whether masonry or not	0 8 0

NOTES—(1) This fee is independent of the actual charge for making a grave.

(2) By the terms *ground occupied* in this rule is meant in the case of an unenclosed grave the area actually occupied by the grave; and in the case of enclosed graves, graves with monuments or graves partly covered by monuments and partly enclosed, the area actually occupied by the grave *plus* all additional space either enclosed or occupied by a monument.

The fee of eight annas in question is irrespective of all charges leviable under clause (2) to (5) of this rule.

(2) For a masonry monument, per square foot	1 0 0
(3) For a cut stone or marble monument, per square foot	0 8 0

NOTE.—The lower fee of 8 annas per square foot shall be charged only if the whole structure above the ground level is made of cut stone or marble.

Provided that no fee under (2) or (3) shall be less than	5 0 0
(4) Additional fee when a cut stone or marble monument stands higher than 3 feet from the ground level	16 0 0
(5) For a headstone or cross over a non-masonry grave	5 0 0
(6) For a faculty for the erection of a monument in a church	75 0 0

NOTES.—(1) A tablet on the wall of a cemetery shall be regarded as a monument.

(2) The term "stone or marble" does not include "slate.".

(3) The fee of Rs. 75 levied on a faculty is in all cases to be spent in charity.

(7) For a cenotaph, in addition to the ground fee, a special fee of ...	50 0 0

NOTE.—If any of the persons commemorated are interred beneath a monument, it should not be classed as a cenotaph.

(8) For burial in a family vault	3 0 0

RULE 2.—Fees are leviable over the whole cemetery, including those portions which are used by Roman Catholics and Non-conformists.

NOTES.—(1) The same rules in regard to fees apply to all graves, whether of Roman Catholics, of Non-conformists, or members of the established Church.

(2) Where a parcel of ground used for burial by a Christian community of any particular denomination other than the established Church of England forms no part of the general cemetery, but is separate from it, or where although not so separate, it is clearly distinguishable and was not originally acquired, and has not been kept up at the expense of the State, then if the community by which the ground is used so desire, the Government will give up all claim to fees on the distinct understanding that it is divested of all responsibility for the maintenance of the cemetery in proper order. On the other hand, where such parcels of ground form part of a cemetery of the established Church or the general Christain community provided and maintained by the Government, no distinction can be made as to keeping up any one part of the cemetery, nor should any exemption from fees be permitted.

EXEMPTION FROM FEES IN GOVERNMENT CEMETERIES.

RULE 3.—No fee shall be levied from regimental and non-departmental warrant officers, British non-commissioned officers and soldiers for the construction of graves for or the erection of monuments to the memory of, their wives, children, or comrades; or from their wives or children for the construction of graves for, or the erection of monuments to, such warrant officers, non-commissioned officers and soldiers; provided that the monument is a plain stone monument consisting of a simple cross or head-stone fixed in a stone or marble socket, or a slab over a masonry foundation 3′ × 2′ and whose total

height does not exceed 3 feet above the level of the ground. No exemption shall be granted, however, to such persons from the fees prescribed in rule 1 (6) and (7) of these rules.

NOTES.—(1) This rule applies to regimental and non-departmental warrant officers and all British non-commissioned officers and soldiers whether in military or civil employ.

Native Christians belonging to His Majesty's army are British soldiers within the meaning of this rule.

(2) Plain stone monuments erected under this rule which are subscribed for partly by regimental or non-departmental warrant officers, non-commissioned officers and men and partly by officers are likewise exempted from the prescribed fee.

(3) Departmental warrant officers and volunteers are not exempted from payment of ecclesiastical fees.

(4) The addition of masonry borders round plain stone monuments in respect of the erection of which exemption is granted by this rule will not necessitate the levying of a fee for their erection, provided that the borders are kept within reasonable limits, so that the cost of repairing the monuments is not materially increased.

RULE 4.—The Chunar pensioners being more or less under military control come under the category of soldiers, and are, therefore, entitled to the same exemption as soldiers. But this ruling does not apply to other pensioners who are not similarly under military control.

RULE 5.—The chaplain may, at his discretion, reduce, or in cases of extreme poverty altogether remit, the fee leviable on the construction of graves, but not for the erection of monuments.

NOTE.—The Bishop on special occasions may sanction a reduction or remission of fees for the erection of monuments.

PERSONS BY WHOM FEES MAY BE COLLECTED.

RULE 6.—The chaplain or other officer in charge of a cemetery may appoint an official mason, who may be granted a monopoly of the whole or any portion of the masonry work beneath the surface within the cemetery, subject to such conditions as may be agreed upon at the time of making the appointment ; and may, subject to the same conditions, discharge him at his discretion. When an official mason has been appointed, he shall be responsible for the collection and payment to the chaplain or other officer as aforesaid of the requisite fees in respect of all work executed by him. Fees in respect of all work in the cemetery must be paid in advance before the work is begun. The maximum rates for all works beneath the surface should be fixed by the officer in charge of the cemetery in consultation with the Executive Engineer or Assistant Commanding Royal Engineer, and should in no case be exceeded unless they are proved to the satisfaction of both officers to be inadequate. The rates should not ordinarily exceed the current rates for public works in the district.

PERSONS TO WHOM FEES MAY BE PAID.

RULE 7.—The fees prescribed in rule 1 should be paid to the chaplain or, in the absence of the chaplain, to the officer in charge of the cemetery and remitted at once to the civil treasury, except fees for monuments in churches, which should be paid over by the chaplain to the charitable objects to which the Bishop assigns them when his faculty is issued.

CEMETERY RECEIPTS AND CHARGES.

RULE 8.—All cemetery receipts and charges are to be regulated as laid down in paragraph 4 of the Home Department resolution* Nos. 6—370-382, dated the 9th November 1876.

*Appendix A.

MISCELLANEOUS.

RULE 9.—(1) A person may not purchase a portion of a Government cemetery as a burial place for himself and his family so as to have a right to fence it with a rail or fence, and thus make it the private property of himself and family. But when such rights already exist, they are not without reason to be interfered with, and special cases as they arise may require exceptional treatment. In such special cases the Archdeacon may exercise his discretion with the sanction of the Local Government.

(2) All private rights must, however, cease if, for sanitary or other public reasons, the cemetery is closed against burials, or even that portion of it in which the private ground is situated ; but in special cases the Archdeacon may exercise his discretion of giving permission to open a vault or masonry grave.

(3) No *kachcha* grave can be opened in any cemetery for the purpose of converting it into a masonry grave without application to the Archdeacon which must be accompanied by a certificate from the principal medical officer, that this may be done without risk to the public health.

RULE 10.—(1) When a piece of ground is granted by Government as a cemetery to a railway company for the interment of its own servants, and the company afterwards keeps it in repair and provides the necessary establishment, so that beyond the original grant of ground Government is at no expense, the collection and application of fees accruing are left to the decision of the railway company which maintains the cemetery in good order and repair.

(2) The Commissioner of the district or judicial officer, and in military stations the officer commanding should inspect such cemeteries and report to Government if they find them negligently kept.

PART III.

Rules for the levy of other ecclesiastical fees throughout India.

RULE 1.—No fees are charged for the performance of the right of baptism or burial, or for the registration of the performance of these offices.

RULE 2.—In addition to the fee for the surrogate's license a fee of Rs. 10 shall be charged on all marriages by license, except the marriages of officers and others in the military or naval service of His Majesty.

RULE 3.—The fee for a surrogate's license shall be Rs. 50, both at the presidency towns and in the interior. No fee shall be charged on marriages by banns.

RULE 4.—When registers are searched and a copy of any entry given, a fee of one rupee shall be charged for the first year,* and four annas for every additional year over which the search may extend, as well as a fee of one rupee for the certificate. Soldiers, sailors, and non-commissioned and petty officers are exempted from payment.

*The first year shall be taken to mean any one year indicated by the applicant.

NOTES.—(1) The amount of fees payable for marriages performed, and for searching registers kept in accordance with the provisions of Act XV of 1872 (The Indian Christian Marriage Act), is fixed by each local Government.

(2) The chaplain may, at his discretion, reduce, or altogether remit in cases of extreme poverty, the fee for searching registers.

PART IV.

Rules for the erection, repair and endowment of monuments in Government cemeteries throughout India, except in the town and suburbs of Calcutta.

APPLICATION FOR ERECTION OF A MONUMENT.

1.—A person desiring to erect a monument should submit to the chaplain or other officer in charge of the cemetery an application in the form A (annexed), with a working drawing of the monument drawn to scale.

2.—If the proposed monument (*a*) is not a single stone monument as defined in rule 6, or (*b*) is a single stone monument in respect of which exemption from payment of endowment fee is granted by note (1) to this rule, or (*c*) is a single stone monument which it is proposed to endow, the chaplain or other officer in charge of the cemetery will send on the application and the drawing with a forwarding letter (in form B annexed) to the executive engineer in charge of the cemetery. The executive engineer will examine the proposals, and, if he approves of them, will fill in the certificate below the application, examine and countersign the drawing, and return the papers to the chaplain.

If any fragile or costly work liable to receive damage is proposed, the executive engineer will not take this into consideration in entering the classification of the monument in column 7 (*b*) of the application, as the repair of such work cannot be undertaken by Government. The executive engineer may decline to take over any monument for the purpose of maintenance if he considers that the work is defective from a structural point of view.

If the monument is a single stone monument and is *not* to be endowed, the chaplain or other officer in charge need not forward the application to the executive engineer unless he desires his advice, but may deal with it at once in accordance with rule 3.

NOTES.—(1) No endowment fee shall be levied in respect of monuments erected by British soldiers or non-commissioned officers to their wives, children or comrades, or by their wives or children to British soldiers or non-commissioned officers, provided that the monuments are simple crosses, head-stones or slabs. Native Christians belonging to His Majesty's Army are British soldiers within the meaning of this note.

(2) The addition of masonry borders round single stone monuments in respect of which exemption from endowment fee is granted by note (1) above will not necessitate the levying of a fee, provided that the borders are kept within reasonable limits, so that the cost of repairs of the monuments is not materially increased.

(3) When a monument is to be placed over a masonry grave any portion of the masonry which projects above the ground level shall be demolished.

3.—On return of the papers, duly approved by the executive engineer, the chaplain will see that the application in form A is correctly filled in, sign the memorandum at the foot of the form and forward it with the drawing to the Archdeacon. If the deceased belonged to some other denomination than that of the Church of England, the chaplain will obtain a certificate of approval of the design from the minister of the denomination to which the deceased belonged and forward it with the application to the Archdeacon.

4.—The Archdeacon will permit the monument to be erected or refuse to do so. If permission is given, the chaplain will advise the applicant of the sanction in form D (annexed) and instruct him to pay the amount of the endowment calculated as in rule 6 to the executive engineer, who will grant the applicant a receipt in form C (annexed).

5.—The chaplain will return the sanctioned application (with enclosures) to the executive engineer for disposal and record. On receiving adequate notice from the applicant (usually *not less* than a week) of the date and hour of erection, the executive engineer will depute a responsible subordinate to supervise the erection of the monument in accordance with the sanctioned design and specification. If it is erected to his satisfaction, the executive engineer will assume charge of the monument for future repairs by the Public Works Department and will issue to the applicant a certificate in form I that the monument has been properly erected. The chaplain will, on receipt from the executive engineer, send in April every year to the Archdeacon a list of the monuments erected and endowed during the year ending March 31st, together with the amounts of the endowment fees.

CLASSES OF MONUMENTS AND AMOUNT OF ENDOWMENT FEES.

6.—For the purpose of these rules monuments are classified as follows :—

CLASS A.—*Single stone monuments.*—Monuments consisting of (*a*) simple crosses or head-stones not exceeding 3 feet in height from the ground level and having the full section of the stone embedded to a depth of at least 12 inches, in masonry foundations measuring at least 3 feet × 2 feet in size by 1½ feet in depth, or (*b*) slabs not exceeding 11 feet × 7 feet in size over unexposed masonry foundations.

CLASS B.—*Plain and solid monuments.*—Monuments, including railings round graves, not falling in class A, which are likely to require only occasional repair.

CLASS C.—*Elaborate monuments.*—Monuments which are likely to require special attention or frequent repair.

The endowment of a monument in class A is optional, and the fee may be paid at any time, either before or after the erection of the monument. Permission will not be given to erect other monuments unless the endowment fee has been paid. The minimum fees are as follows :—

Class of monument.	ENDOWMENT FEE.		REMARKS.
	Child's monument.	Adult's monument.	
	Rs.	Rs.	
A	15	15	(1) A child's monument covering more than 15 square feet is to be charged for as an adult's monument.
B	20 (1), (2)	30 (2)	
C	50 (1), (2)	75 (2)	(2) These are minimum fees, and when they are considered insufficient such fees may be charged as the superintending engineer thinks necessary.

The classification of monuments rests with the executive engineer, but any person who objects to his decision may appeal to the superintending engineer.

No addition to an existing monument in a Government cemetery will be allowed beyond mere lettering on existing slabs, head-stones or crosses, unless the whole monument is endowed.

7.—The endowment is intended to cover the expense of ordinary annual maintenance, re-lettering and repairs, but not the risk of accidents due to floods or earthquakes or other extraordinary causes. It is open to any person to provide for extraordinary repairs by making a special endowment in addition to the ordinary endowment fixed by the executive or superintending engineer under rule 6. This special endowment must, however, be limited to the amount necessary to cover such work as the Government officers can undertake to execute.

8.—When an endowment is paid to the executive engineer, in accordance with rules 4 and 6, the amount must be entered in the divisional cash book as a deposit received and paid into the treasury with a remittance note in the form G (annexed) for credit to the civil department. The executive engineer will forward the treasury officer's receipt with his monthly accounts to the examiner of accounts in support of the debit to "deposits," a note to the effect that this has been done being entered in red ink across the block foil of the remittance note.

The examiner will, from these receipts, maintain a register in form H (annexed) showing the endowments for each cemetery in his province. The civil account officer will credit to a head cemetery endowment fund under the major head Savings Bank Deposits—Bank Accounts all sums received on account of these endowments, but will show no details regarding the cemeteries.

After the amount has been paid into the treasury the executive engineer will enter it in the register of endowments, form E (annexed) (Part I),

NOTE.—A clear distinction must be maintained between (1) *ordinary*, and (2) *special* endowments (*vide* rule 7), in all the documents and accounts mentioned in this rule.

9.—The executive engineer shall maintain an account of all ordinary and special endowments, form E (annexed) (Part II). A separate ledger account shall be opened in form E (annexed) (Part III) for each monument for which a special endowment exceeding Rs. 25 has been made under rule 7.

NOTE.—The provision as to separate accounts should be applied, as far as possible, to endowments made prior to the issue of these rules.

10.—The interest calculated under rule 11 on the deposit shall be used in meeting the expenditure for the repair of those monuments for whose preservation deposits have been made. In no circumstances should the capital sum be applied to meet such expenditure, nor should the interest be separate for each monument. The interest accruing on the deposits shall form a common fund to be used exclusively for the repairs of all endowed tombs: provided that the interests on deposits for which separate accounts are opened under rule 9 shall be used exclusively for the particular monument on account of which the deposit is made.

If a monument becomes so damaged as not to admit of repair, the officer in charge of the cemetery shall communicate with the friends of the deceased, or when such communication is not possible, advertise three times in the *Gazette of India* and the Gazette of the Province; and if no person will undertake to restore it, the monument shall be treated at the next repairs in such manner as the officer in charge of the cemetery may decide to be necessary for the maintenance of the cemetery in decent order: provided always that any inscribed slab or tablet which formed part of it shall be placed over the grave in simple masonry or be inserted in the wall of the cemetery and shall be carefully preserved.

NOTES.—(1) This rule does not apply to monuments of historical or archæological interest. Lists of such tombs should be obtained by local Governments and Administrations, and as many of them as may be properly preserved at the public expense should be looked after by the local Public Works Department.

(2) The cost of the advertisements in the Gazette is met by the Government.

(3) The State will defray the cost of keeping in repair monuments erected by or over the graves of British soldiers and non-commissioned officers in respect of which exemption from payment of endowment fee is granted by note (1) to rule 2 of this part.

11.—Joint estimates shall be framed in October of each year by the executive engineer and the chaplain, or other officer in charge of the cemetery, of the cost of repairs of endowed tombs, during the following official year, and the aggregate of the sums so estimated shall not exceed the estimated interest at 3¼ per cent. per annum for ordinary endowments and at 3 per cent. for special endowments made up to the 31st March

preceding, *plus* the unspent balance at the end of the previous year. The executive engineer should budget annually for the grant required; such grant should be entered in a lump sum under the head "civil works" without any distinction between ordinary and special endowments.

12.—The civil account officer of each province will, in his final accounts for March, debit to 14—Interest, by credit to the Public Works Department, the interest at 3½ per cent. per annum for ordinary endowments and at 3 per cent. for special endowments made up to the 31st March. On receipt of the credit the examiner of public works accounts will distribute the amounts between the cemeteries of the province and advise the executive engineer concerned of the amounts so credited. On receipt of such intimation the executive engineer will credit the amount in his divisional accounts as public works revenue under the head "Interest on endowments for repairs of monuments" and then fill in the interest column in form E (Part II).

13.—Endowment funds invested in Government securities will be held in trust by the Comptroller-General or the Accountant-General, Bombay (as the case may be), on behalf of the examiner of public works accounts concerned, under the rules contained in chapter II of the Civil Account Code. The interest will, on realization, be remitted to the examiner and will be credited in his accounts and distributed as provided in rule 12.

ENDOWMENT OF EXISTING MONUMENTS.

14.—When application is made for the endowment of an existing monument the above procedure should be followed as far as applicable.

15.—In order that the local Government or Administration may know that the tombs are kept in proper repair, an annual report in form F (annexed) should be forwarded as soon as possible after the close of the accounts for a financial year, by the executive engineer, with respect to their condition, for each cemetery, to the examiner of public works accounts, who will consolidate the returns so received and render a general return to the local Government or Administration. The account will merely show the totals for each cemetery as taken from the executive engineer's accounts.

The reports sent to the examiner should contain remarks, both by the chaplain and executive engineer, as to the state of the tombs for which endowments have been made.

NOTE.—The foregoing rules are applicable to cenotaphs erected in church compounds, but the previous consent of the local Government to the construction of a cenotaph is in every case necessary.

PART V.

Rules regulating grants for the building of churches; the supply of church furniture; and for the payment of compensation for accommodation provided for soldiers in churches neither belonging to, nor rented by, Government.

RULE 1.—All State charges for churches (except those referred to in rule 21 (*b*) (2) which are debitable to "23—Ecclesiastical") in civil, military or State railway stations are provided from Public Works funds from the ordinary grant for Imperial Works under "45—Civil Works."

RULE 2.—The provision of churches from Public Works funds is authorised under the limitations given in the following rules. All projects for original works in connection with churches in civil stations which require the administrative sanction of the Government of India should, under the Home Department orders Nos. 49—65, dated the 5th February 1907, be submitted by the ecclesiastical authorities to the local Government, which, after examining them, will transmit them with any remarks that it may desire to offer to the Government of India in the Department of Education for consideration. All proposals relating to the construction or alteration of churches in cantonments should, under the Home Department orders Nos. 58—71, dated the 18th February 1909, be submitted by the ecclesiastical authorities to the General Officer Commanding the Division or Independent Brigade within whose jurisdiction the cantonment is situated, who will forward them to the Director-General of Military Works when the cost of the work is less than Rs. 2,500 and to the Quartermaster-General in India when the cost exceeds Rs. 2,500. The Director-General will, except in cases which fall under rule 23-A, submit proposals forwarded to him direct to the Department of Education after consulting the Quartermaster-General unofficially. In the cases of the larger cost the Quartermaster-General after satisfying himself of the necessity for the work proposed will, when the work is to be carried out by the Military Works Services, request the Director-General of Military Works to instruct his subordinate officers to forward the proposals, together with approximate estimates of their cost and the reports of the local military officers, to the local Government, which should then submit them for the consideration of the Government of

India in the Department of Education. When the work is to be carried out by the Public Works Department the Quartermaster-General will request the General Officer Commanding concerned to forward the proposals to the local Government, which, after examination, will transmit them, with any remarks it may desire to offer, to the Government of India in the Department of Education for consideration. Proposals in connection with churches in railway colonies should be submitted by the managers or agents of the railways concerned to the Railway Board for consideration.

MILITARY STATIONS.

RULE 3.—At all permanent military stations churches will be provided by the Government for its Protestant and Roman Catholic European British-born soldiers on the scale laid down in rule 6.

NOTE.—The term "Protestant" includes members of the Church of England and of the established Church of Scotland, Presbyterians, Wesleyans, and such other denominations of Christians as may from time to time be included by the Government of India.

RULE 4.—The amount of the Government grant for a Protestant church will in no case exceed such a sum as will suffice to provide a plain substantial building of the simplest ecclesiastical design, together with such plain furniture as is essentially necessary for the proper performance of the service according to the ritual of the Church of England. It will rest with private individuals to furnish the means of imparting architectural decorations to the building should they desire to do so, and also of supplying additional furniture. including apparatus for lighting of a more costly description.

NOTE.—On no account should Government funds be utilised for the erection of a reredos.

RULE 5.—The same principles will regulate the grant for Roman Catholic churches.

RULE 6.—The maximum number of seats to be provided will be calculated on the following scale :—

UNIT.	Church of England, Church of Scotland and other Protestant denominations recognised by the Government of India.	Roman Catholics.
Battalion of British Infantry	450	340
Head-quarters Wing, British Infantry	250	190
Detached Wing, British Infantry	200	150
Regiment of British Cavalry	275	210
Battery of Royal Horse or Field Artillery	70	55
Garrison Company, Royal Artillery...	65	50
Mountain Battery, Royal Artillery	50	35
Heavy Field Battery, Royal Artillery	45	35
Convalescent depôts and miscellaneous detachments, per section of 100 men.	45	35

NOTE.—These numbers include soldiers' families.

RULE 7.—Any provision that may be necessary may also be made for staff officers, officers of Indian regiments, and, where no civil church exists, for European British-born subjects in the service of Government, or for railway servants in accordance with the scale and terms hereinafter prescribed for civil and railway stations respectively.

RULE 8.—As a rule, only one Protestant and one Roman Catholic church will be provided; and where the number of sittings required for the troops according to the scale above given is very large, the size of the church may be regulated so as to allow of at least one-half of the troops attending service at one time.

RULE 9.—The Government grants for churches will be calculated on the following basis. The executive engineer shall prepare a ground plan, which shall afford—

(a) accommodation for the total congregation to be provided for according to the scale laid down in rules 6 and 7, and allowing six superficial feet per sitting ;

(b) passages, chancel, vestry, porch of such moderate dimensions, as may be reasonable in each case, and verandahs where necessary ;

(c) tower or belfry, as may be required according to the dimensions, general design, and locality of the building.

The maximum grant will be found by multiplying the cubic content of the approved design by a rate 15 per cent. in excess of the local rate per cubic foot for ordinary first class single-storied buildings of substantial construction, such as court-houses.

The cubic content of a building will be arrived at by multiplying the plinth areas of the different parts, such as main rooms, verandahs, tower, etc., by the heights from plinth to roof-level of these parts, and then by adding them together. In the case of a sloping roof the height will be measured to the mean height of the slope.

In addition to the above grant for the main building, the cost within reasonable limits of acquiring, laying out and enclosing the site, inclusive of roads, culverts, drains, latrines, compound wall, gates, well of an inexpensive kind, and any other subsidiary work which may be considered to be legitimate, may be authorised by the Government of India as a State charge.

CIVIL STATIONS.

RULE 10.—At the chief civil station of a district, where there are at least 25 European British-born subjects [as defined in section 4 (*i*) of the Criminal Procedure Code, 1898], Protestants or Roman Catholics, as the case may be, in the general service of Government, and where no suitable church provision for them exists already, the Government will contribute towards church accommodation upon the following terms :—

(1) *Number of sittings required.*	(2) *Maximum Government grant.* Rs.
25	2,000
50	3,500
100	5,000
150	6,000
200	7,000
250	8,000
300	9,000
350	10,500
400	12,000
For any excess over ... 400	Rs 30 per seat in excess.

NOTE.—(1) When the number of seats to be provided lies between any two numbers given in the table the grant for the portion of the whole number of seats represented by the lower numerical figure in the table will be the grant shown against that figure, the rate per sitting for the excess number of seats over such lower figure being arrived at by dividing the difference between the maximum grant shown against the next higher figure and the said lower figure by the difference between the higher and lower figure. Thus for 110 seats the Government grant for 100 seats will be Rs. 5,000 and for the remaining 10 at the rate of

$$\frac{6{,}000-5{,}000}{150-100} = \text{Rs. 20 per seat.}$$

(2) As a rule, only one Protestant and one Roman Catholic church will be provided. In the case of Protestant churches accommodation will ordinarily only be provided for the number willing to attend the Church of England service.

(3) In ascertaining the number of seats to be provided, women and children belonging to the families of European British-born subjects in the general service of Government, and pensioned soldiers and their families may be taken into account : two children being counted as one adult.

(4) In cases of stations where abnormal rates prevail, special application may be made to the Government of India for an increase to the grant given by the State, but no grant for more than 200 sittings will be made except at seats of Local Governments and Administrations, or at hill sanitaria. In the latter case, the number of European British-born subjects in Government service must exceed (without their families) 120 to warrant the grant for a church of greater accommodation than 200 sittings.

RULE 11.—No Government grant for a church in a civil station will be made until private subscriptions have been obtained, and then the grant will not exceed double the amount thus actually realised, the maximum figure in column 2 of the table above being in any case the extreme limit of the grant towards the scale of accommodation which stands opposite in column 1. And in no case will the Government grant be allowed until these contributions, together with the grant, amount to the estimated cost of the church.

RAILWAY STATIONS.

RULE 12.—Whenever there are, at any State railway station or depôt, so situated that other church accommodation does not exist or is not available with reasonable convenience, at least 25 persons in the railway service who are of European descent, pure or mixed, retaining European habits and modes of life and professing the Christian religion, whether Protestant or Roman Catholic, churches will be provided by the Government for them in accordance with rules 4, 5 and 8; the number of sittings being calculated on the principle, *mutatis mutandis*, of rule 10, notes (2) and (3), and the grant being in conformity with rule 9.

RULE 13.—Whenever such separate churches are not required, church accommodation for any such persons may be provided in the plans of any church which is about to be erected at a military or civil station; but in the case of a church at a civil station, the restrictions in rule 10, note (4), and in rule 11, shall not apply in respect of the numbers of, and grants for, such persons.

RULE 14.—In cases where a State railway station or depôt is considered by the railway administration to be likely to increase, such addition may be made to the number of sittings, calculated as above provided, as the Railway Department may, in each case, sanction.

NOTE.—Rules 12 to 14 apply only to State railways worked by the State and in other cases when the State is in the position of the employer of labour.

RULE 15.—In the case of church accommodation for servants of a railway not worked by State agency and not falling within the note to rule 14, it will be within the discretion of the Board of Directors or other duly empowered representative of the Company, with the approval of the Government of India, to provide funds for church accommodation under rules 12 to 14. In such cases the cost will be chargeable to the capital or revenue account of the railway as the circumstances of each case may suggest.

GENERAL.

RULE 16.—It is desirable, whenever such a course will not be attended by inconvenience, to combine the civil or railway with the military church of a station, the grant allowed for the church accommodation of the British troops or State railway servants before given being supplemented by a grant according to the scale shown in rules 10 and 11, or 12 to 15, as the case may be. In special cases buildings may be rented for divine service with the previous sanction of the Government of India.

RULE 17.—In addition to church accommodation as above prescribed, a house for the chaukidar or resident bearer may be provided. In cases, however, where the church is distant from the bazar, and where special grounds are shown, accommodation may be provided for other duly authorized servants; but such further accommodation will be limited to shelter for day use only. These houses should, when practicable, be adjoining to, and not within, the church compounds; but when within them, they should be erected in keeping with the other church buildings.

RULE 18.—Grants for ecclesiastical buildings will be sanctioned only by the Government of India in the Public Works Department.

RULE 19.—The scales of accommodation and expense for all churches above laid down are in no case to be exceeded without a reference to the Government of India.

RULE 20.—Church accommodation will not usually be provided at the expense of the State for non-official residents, either British-born Europeans or others, or for official residents other than British-born or State railway servants.

RULE 21.—When private contributions are combined with a Government grant towards building a church, the procedure to be adopted is as follows:—

(*a*) (1) Under ordinary circumstances, the amount of private contributions being known, a definite design and estimate will be prepared by the executive engineer and submitted for sanction in the usual way, the limit by which the executive engineer will be guided in his designs being the aggregate of the Government grant according to the scales given in the preceding rules, and the amount of private contributions actually realised.

(2) Before the work is commenced, the amount of the private contributions must be paid into a Government treasury, or guaranteed by sufficient security, and carried to credit of deposits in the accounts of the department.

NOTE.—In the case of a grant from the Church Building Fund for the diocese of Calcutta a certificate instead of a cash payment in advance may be accepted, showing the amount of the contribution to be allowed. The conditions on which this certificate may be accepted are that in every case definite arrangements must be made with the local Government or Administration concerned respecting the precise date on which the contributions will be paid, and that, until the payment is made, the Government shall have a primary lien on the funds of the Society. In case of any failure in paying up the stipulated payment on due date, the privilege herein allowed is to cease.

(3) In dealing with cases of this nature, the private contribution is to be looked upon as an addition to the Government grant, instead of the money allowed from public funds being considered as a grant-in-aid of private contributions, and the responsibility of officers of the Public Works Department or Military Works Services with respect to the preparation of estimates, and the construction of such buildings with reference to excess of expenditure over the estimate, will be as strictly enforced as where only public funds are expended.

NOTE.—In the case of State railways, the functions assigned in this and succeeding rules to the executive engineer will devolve on the manager.

(*b*) (1) In special cases, however, the Government grant for a church may, with the sanction of the Government of India, be treated as a grant-in-aid of private contributions raised for a church intended for the use of Government servants within the meaning of these rules or partly for the use of non-official residents or others for whom grants are not admissible under these rules.

(2) In such cases the plants and specifications shall be submitted to the executive engineer for the approval of the proper officers in Public Works Department or Military Works Services, who shall sanction them on satisfying themselves that they are safe and suitable and can be executed for the estimated amount. The construction of the building may then be left to the managers or trustees of the private contributions raised, with whom must rest the responsibility for excess, if any, over the amount of this sanctioned estimate. The grant-in-aid will be paid by the civil department on the certificate of the executive engineer, *vide* rule 21 (*b*) (3) below, and adjusted as a civil charge under the head "23—Ecclesiastical" as stated in rule 1 above.

(3) In such cases the grant will ordinarily not be paid in full by the civil account officer until the executive engineer has certified that the building has been completed in accordance with the sanctioned plans and specifications, and the trust deed referred to in clause (4) below, where required, has been duly executed; but the executive engineer may authorize advances out of the sanctioned grant on receiving sufficient proof that the building is proceeding satisfactorily, and on the managers or trustees certifying that all subscriptions relied on in support of the application for the grant have been paid up in full or guaranteed by sufficient security.

(4) When the grant is made under clause (*b*) of this rule for a church intended partly for the use of non-official residents and others for whom grants are not admissible under these rules, there shall be a trust deed, duly executed by the Chief Magistrate of the district in which the church is situated and the chaplain and registered,—(1) declaring that the building is granted in trust for church purposes only; (2) giving to Government a prior lien on the building for the recovery of the grant in the event of the former being diverted to other purposes; (3) providing for the legal ownership of the building; and (4) indicating sufficient sources for its proper maintenance.

RULE 22.—In any case in which a church is built partly from private contributions and partly from a Government grant, the Government is entitled at any time to require that a proportion of the seats in the church, not exceeding the proportion which the Government grant bears to the whole expenditure incurred in building the church, shall be reserved for troops and other Government servants who may be allowed free seats under rule 27.

NOTE.—This rule does not apply to cases in which pewage reduced by the amount of interest calculated at 4 per cent. on the Government grant towards the cost of construction is paid on account of seats used by troops.

RULE 23.—The preceding rules shall apply, as far as may be, to the enlargement of existing churches.

RULE 23-A.—Local-Governments including the Director-General of Military Works are authorised to incur, when necessary, expenditure which is in excess of that permissible under, or is not covered by, the preceding rules, up to a limit of Rs. 500 in each case, on the understanding that this sum represents the maximum aggregate expenditure which may be sanctioned by them for additions and alterations to any one church.

CHURCH FURNITURE.

RULE 24.—The supply of church furniture will be regulated by the following rules. All expenditure connected with the articles to be supplied by the Public Works Department will be provided for under the rules laid down for that purpose :—

(1) Each Protestant Church, civil, railway or military (cathedrals excepted), will be supplied by the Public Works Department with the following articles of

furniture, the cost of which will be allowed in addition to the grant for the building. The renewal and repair of such articles will also be provided for by the Public Works Department subject to the conditions of rule 27:—

		Maximum cost.
		Rs.
(a)	Appliances to seat the congregation, and to allow them to kneel in decent comfort—	
	Officers, per seat	5
	" " stool or hassock	2
	Soldiers, per seat	4
	" " stool or hassock	1
(b)	Communion table, each	45
	" rails, per running foot	4
(c)	Pulpit, each	200
(d)	Reading desk and stool	60
(e)	Font and cover	60
(f)	Vestry almirah	45
	" table	12
	Two vestry chairs, per pair	10
(g)	Two alter chairs	24
(h)	Punkahs, complete, per running foot	2
	Thermantidotes, when necessary, each	200
(i)	Lighting apparatus, per 100 seats	100
	Candlesticks for pulpits, per set	40
	" for lectern	30
	" for reading desk	30
(j)	Lectern	50

(k) One bell of reasonable size to summon the congregation to church, at a cost not exceeding Rs. 300, for a first class church (*viz.*, those containing more than 400 sittings), and Rs. 200 for a second class church (*viz.*, those containing not more than 400 sittings).

(l) Chicks or bamboo blinds for doors and windows where absolutely necessary.
(m) Matting where absolutely necessary for churches with terraced floors.
} At market rates.

The "reading desk" should be simply a desk (however appropriately shaped) and not an enclosure, expensive from its size and occupying needless space.

(2) The civil department will provide the following articles of service on the executive engineer's certificate of the necessity of supply. The renewal and repair of such articles will also be provided for by the civil department, subject to the conditions of rule 27, and on the production of the executive engineer's certificate as to the necessity for the expenditure:—

	Rs.
* Suitable set of communion plate	150
A strong box to be made in India, which may be locally purchased, for the custody of the communion plate, and also for records	150
* Altar cover of red embroidered cloth	150
* Bibles and prayer-book for the clergyman	50
* Fair linen cloth and napkins for the communion service	35
* Two service books for the communion table	30

* NOTE 1.—Where the congregation choose to contribute in order to procure any of these articles (or those mentioned in clause 1) of a richer design or material, the fixed grant may, if so desired, be paid to the chaplain, and the purchase of the articles left to his and their joint discretion.

NOTE 2.—The cost of re-gilding articles of plate supplied under clause 2, rule 24, will be met by the civil department, subject to the conditions of rule 27, and on the production of the executive engineer's certificate as to the necessity for the expenditure.

(3) In cathedrals of the Church of England, the renewal and repair of furniture and articles of service shall be provided out of the fixed monthly grants made by the civil department towards the maintenance of service, supplemented, if necessary, by contributions from the congregation.

(4) Each Roman Catholic church built by Government, civil, railway or military, will be supplied by the Public Works Department with the following articles of furniture, the cost of which will be allowed in addition to the grant for the building. The renewal and repair of such articles will also be provided for by the Public Works Department, subject to the conditions of rule 27 :—

	Maximum cost. Rs.
(*a*) One bookstand	8
(*b*) One almirah for altar vestments, etc., at least 4 feet long by 2 feet 5 inches broad	45
(*c*) Three altar chairs for officiant and assistants	36
(*d*) One table and three chairs for the vestry	27
(*e*) One font and cover	60
(*f*) Seats and kneeling accommodation for the congregation—	
Officers, per seat	5
" " stool	2
Soldiers, per seat	4
" " stool	1
(*g*) Altar table	45
(*h*) Communion rail, per running foot	4
(*i*) Pulpit, each	200
(*j*) Punkahs, where required, complete, per running foot	2
(*k*) Thermantidotes, where necessary	200
(*l*) Apparatus for lighting, per 100 seats	100
(*m*) One bell as in (*k*), clause I	At market rates.
(*n*) Chicks or bamboo blinds for doors and windows where absolutely necessary.	At market rates.
(*o*) Matting, where absolutely necessary, for churches with terraced floor	At market rates.

A second altar table may be supplied to churches intended to accommodate more than 500 persons.

(5) The following articles of service will be supplied to Roman Catholic churches by the military department on the executive engineer's certificate of the necessity of original supply. The renewal and repair of such articles will also be provided for, subject to the conditions of rule 27, and on the production of the executive engineer's certificate as to the necessity for the expenditure. The articles required for churches at military stations will be supplied and repaired or renewed by the military department, and those for churches at civil and State railway stations by the civil department:—

	Rs.
(1) One tabernacle, inside covered with silk	150
(2) One pyx with silver cup, inside gilt	100
(3) One chalice	100
(4) One monstrance	180
(5) Six altar candlesticks and crucifix	180
(6) Two cruets and one plate	10
(7) One altar lamp	30
(8) One missal	25
(9) Altar canons (one set of three)	8
(10) Altar vestments of silk (five sets of the five colours)	300
(11) Two copes, one white and one black, of silk	120
(12) Humeral for benediction	30
(13) Altar linen, comprising albs, altar covers, communion cloth, etc.	80

NOTE.—The cost of re-gilding articles of plate supplied under the foregoing rule will be met by the military or civil department, subject to the conditions of rule 27, and on the production of the executive engineer's certificate as to the necessity for the expenditure.

(6) Churches rented by Government or Government buildings set apart temporarily as churches, for the use of European troops or European-born subjects in the service of Government, or of State railway servants, should be supplied by the departments concerned (*vide* clauses 1, 2, 4 and 5) with such church furniture and articles of service as are absolutely necessary for the performance of divine service. The number and description of the articles to be supplied should be determined by a committee, consisting of the chaplain, the executive engineer, and the chief local magistrate. In the case of churches for troops or for State Railway servants the senior military officer, or the manager of the railway, will take the place of the chief local magistrate.

The articles of furniture and service should be of the plainest description unless there is under construction by Government a church for which church furniture and articles of service would have to be supplied under clauses 1, 2, 4 and 5.

Articles supplied for use in temporary churches should be returned into store when the building ceases to be used as a church, unless they are required for supply to a permanent church built by Government.

(7) All applications for funds for the supply to Roman Catholic churches of the articles of service mentioned in clause 5 should be submitted through the Roman Catholic Bishop of the diocese in which the church is situated.

(8) The following articles of furniture will be supplied by the Public Works Department for lych-gates of Government cemeteries :—

	Maximum cost. Rs.
Two benches at Rs. 9 each	18
One small table	12
Two chairs at Rs. 5 each	10
A wheeled bier	350

NOTE.—In stations where no hearse or other suitable means of conveyance are available, the use of the bier is permissible for the conveyance of the dead to the cemetery.

(9) While the rates shown in clauses (1), (2), (4), (5) and (8) of this rule should not ordinarily be exceeded, Local Governments may sanction excess expenditure on particular articles of furniture, provided that the excess is covered by savings on other articles, the supply of which is admissible under the rules and for which definite rates have been fixed.

RULE 25.—The executive engineer will be guided, in granting the certificate alluded to in clauses 2 and 5 of rule 24, by the following principles :—

Class I, churches built by Government.—The certificate should state that the church was built by Government for the use of European troops or European British-born subjects in the service of Government, or of State Railway servants, and is still maintained for the same purpose.

Class II, churches which have received building grants from Government.—The certificate should state that the church received a building grant of Rs.——, equal to the—— part of the total cost of the building, and that the grant was made on account of European troops or European British-born subjects in the service of Government or of State Railway servants, and that the building is still used by them.

For this class of churches a proportion of the standard cost of the articles of service will be sanctioned equal to the proportion of the grant-in-aid to the total cost of the building itself.

Class III, churches rented by Government and Government buildings temporarily set apart as churches.—The certificate should state that the building is wholly rented by Government or is a Government building temporarily set apart as a church for the use of European troops or European British-born subjects in the service of Government, or of State Railway servants.

NOTE.—The required certificates should afford information as to when the article was originally supplied and by whom, and the reason for recommending its renewal. When, however, Government pay for the use of a certain varying number of seats in a church, the hire of the seats should include everything necessary for the performance of service.

RULE 26.—When a church, whether Protestant or Roman Catholic, is to be furnished, the executive engineer should communicate with the ecclesiastical authorities concerned with a view to afford the congregation an opportunity of furnishing the church by private subscriptions in more costly style, should they wish to do so. It is to be understood, however, that any article of furniture to which any public funds may have been applied will remain the sole property of Government, even though a portion of its cost may have been contributed by private persons. And in cases where articles of furniture are procured from England, they should be purchased through the Secretary of State in the ordinary way, with the exception of articles to which note 1 to clause (2) of rule 24 applies, which may be purchased as therein allowed.

In cases in which articles of furniture supplied wholly or in part from Government funds are considered to have become obsolete or unsuitable, though not necessarily unserviceable, they may, with the previous approval of the local Government, be sold and the sale-proceeds utilized towards the cost of replacing them, provided always that sufficient private subscriptions are forthcoming to ensure the replacement of the old articles by new ones of greater value or more appropriate design.

RULE 27.—Government will not ordinarily undertake the cost of the renewal and repair of furniture and articles of service in churches, which are not primarily intended for the accommodation of troops. Where pew rents are charged, the cost of such renewals and repairs will be met from the pew rent fund; where pew rents are not charged, it is expected that the cost will be met from contributions by private persons and members of the congregation. In churches in which a portion of the seats are actually reserved by Government for troops or other Government servants entitled to free seats, the Government will pay a share of the cost of renewals and repairs equal to the proportion which the number of seats so reserved bears to the whole number of seats in the church. Seats will be reserved by Government under this rule only for troops and military officers on duty with troops, and for such Government servants of the classes described in rule 10, and State railway servants of the classes described in rule 12, as cannot afford to pay for seats. But all Government servants (other than troops and military officers on duty with them), who are in a position to pay for seats, will be liable to be charged pew rents.

RULE 28.—In cases in which articles of furniture belonging to a Government church are stolen, an immediate enquiry should be held in view to ascertaining whether the loss was caused through the negligence of the person responsible for the custody of such furniture. In the case of Protestant churches at civil or railway stations, the enquiry should be conducted by the chaplain and the members of the church committee; and in the case of Roman Catholic churches at such stations, by the chaplain in charge and the chief civil officer of the place, or such other person or persons as the chief civil officer may nominate for that purpose. As regards Protestant and Roman Catholic churches in cantonments, the investigation should be made by a committee assembled under the orders of the officer commanding, as is the case in respect of all other enquiries into loss of Government property, the chaplain in charge being invited either to be a member of the committee or to give evidence before it.

(2) If the result of the enquiry should be to show that the loss was occasioned by negligence on the part of the person responsible for the custody of the furniture, such person should, if possible, be required to make good the loss; or if it should appear that the loss was due to circumstances beyond the control of the responsible officer, then the Government of India will be prepared to consider an application for the replacement, at the public expense, of the articles stolen. Such application should be submitted through the ordinary channels, and should be accompanied by a full report of the enquiry.

RULE 29.—The care of church clocks is to be charged against the pew rent fund, where it exists. Where no such fund exists, the cost of maintaining the clocks will be borne by Government.

RULE 30.—The pay of chaukidars of churches will be disbursed through chaplains.

RULE 31.—Anglican and Roman Catholic churches are under the control of the Bishop of the diocese in respect to the erection of tablets, ornaments, etc., while in course of construction, as well as after completion and consecration.

OWNERSHIP AND REPAIR OF CHURCHES.

RULE 32.—All churches built under these rules, except rule 21, clause (*b*), shall be considered the property of Government.

As a general rule, all churches whether Protestant or Roman Catholic, which have in past times been built by Government, are the property of Government.

Churches whether built wholly by private contributions or by such contributions jointly with State grants, which have been borne for a series of years on the books of the Public Works Department or Military Works Services and have been repaired and otherwise dealt with, unchallenged, as Government buildings, shall be deemed to be the property of Government.

Churches built wholly or in part by private contributions which have not been so borne, repaired or dealt with, but which may be taken over on behalf of Government under sanction of competent authority, shall be brought on the books of the Public Works Department or Military Works Services as the property of Government.

RULE 33.—All churches which are the property of Government shall be in charge of the executive engineer, and shall be repaired under the ordinary rules of the Public Works Department.

In every case in which any alteration in a church belonging to Government, which affects its structure or its permanent fittings, may be desired by the chaplain or other clergy, the executive engineer must be consulted and his consent obtained in writing before the alteration is carried out.

COMPENSATION FOR ACCOMMODATION IN CHURCHES NEITHER BELONGING TO, NOR RENTED BY, GOVERNMENT.

RULE 34.—The rate of compensation for sittings for Protestant and Roman Catholic soldiers is fixed at Rs. 7 per seat per annum. Broken periods within the year shall be counted as a year; but when sittings are occupied consecutively for any period exceeding twelve months, payment will be made for the number of months in excess of the year, for which the sittings are so occupied, at the rate fixed for the year.

NOTE 1.—The payment should, as far as possible, be regulated by the official year.

NOTE 2.—Whenever a church has been built with the aid of a grant from Government under rule 21 (*b*), the pewage otherwise admissible for seats occupied in that church will be reduced by the amount of interest calculated at 4 per cent on the sum contributed by Government towards the cost of its construction.

RULE 35.—The number of sittings for which compensation is allowed will be regulated by the highest attendance at a parade service during the year of soldiers and their families (two children up to the age of 16 being counted as one adult) actually quartered in the station, subject to the following maximum limits :—

UNIT.	Church of England, Church of Scotland and other Protestant denominations recognised by the Government of India.	Roman Catholic
Battalion of British Infantry	450	340
Head-quarters Wing, British Infantry	250	190
Detached Wing, British Infantry	200	150
Regiment of British Cavalry	275	210
Battery of Royal Horse or Field Artillery	70	55
Garrison Company, Royal Artillery	65	50
Mountain Battery, Royal Artillery	50	35
Heavy Field Battery, Royal Artillery	45	35
Convalescent depôts and miscellaneous detachments, per section of 100 men.	45	35

NOTE.—These numbers include soldiers' families.

RULE 36.—Compensation may be charged for sittings provided for British-born commissioned and non-commissioned officers (including families) employed on the staff or with Indian regiments, in addition to the number of sittings for which compensation is admissible under rule 35.

RULE 37.—Compensation may, under the conditions of rule 34, be paid for Protestant or Roman Catholic State railway servants for whom church accommodation has not been provided by Government; the number of sittings for which compensation may be allowed being regulated by the highest attendance on any one occasion during the year of railway servants and their families (two children up to 16 being taken as one adult) who are of European descent, pure or mixed, retaining European habits and modes of life and professing the Christian religion.

RULE 38.—Local Governments and Administrations are authorised to sanction the payment of compensation for sittings on the condition that the rules are strictly observed, and that all cases in which the application of the rules is doubtful are submitted for the orders of the Government of India. Applications for compensation must be supported by a certificate from the officer commanding the station or the manager of the railway of the number of soldiers or State railway servants, and their families for whom accommodation has been obtained under rules 35, 36 and 37.

RULE 39.—The outlay will appear in the departmental budget estimates and accounts under head of Civil Buildings—Repairs.

L. C. PORTER,

Secretary to the Government of India.

APPENDIX A.

Home Department resolution Nos. 6-370-382 (Ecclesiastical), dated Simla, the 9th November 1876.

READ—

The Home Department resolution Nos. 314 to 318, dated 6th October 1875, appointing a committee to report upon the following matters connected with ecclesiastical administration:—

(1) The framing of joint estimates for expenditure on cemeteries or churches by the executive engineer and clergyman in charge.

(2) A revision of establishments for cemeteries according to their area.

(3) The size of monuments and amount of ground that may be enclosed.

(4) Provision for planting cemeteries and preserving them in decent order.

(5) Mode of supply of certain articles of church furniture.

(6) The substitution of three for two classes of churches with respect to the expenditure allowed for them by Government.

READ—

The report of the committee, dated 29th October 1875.

RESOLUTION.—The report of the committee has been considered by the Governor-General in Council, who desires to express to the commitee his satisfaction at the result of their labours.

The following rules have been approved relative to the subjects referred to the committee for report:—

(Public Works Department, No. 486-A.G., dated the 13th July 1874.)

1. Churches and cemeteries have already been divided into two classes:—(1) those in stations where there are military cantonments and the military works which are under the charge of the *Director-General of Military Works*; and (2) those in other military cantonments and civil stations.

In both classes of stations joint estimates* of expenditure should be framed annually by the undermentioned officers:—

(Financial Department resolution No. 87, dated the 9th January 1875.)

(*a*) In the case of all expenditure connected with establishments, *e. g.*, pay of servants; alterations in their pay or number; etc.; also all expenditure by Government connected with the provision of articles of church furniture supplied by the civil department. } By the chief magistrate of the district and by the chaplain.

Funds for the above will be provided by the Civil Department.

(Financial Department resolutions, No. 87, dated the 9th January 1875; No. 2024, dated the 31st March 1875; and No. 675, dated the 9th February 1876.)

(*b*) In the case of all expenditure connected with (*a*) repairs and additions to church fabric, to church compound or cemetery walls, to church or cemetery gates, walks, wells, chaukidars or other church servants' houses, (*b*) provision of necessary appliances for graves or for the repair of tombs or for the planting of trees and shrubs in cemeteries and keeping the same in decent order; also all expenditure by Government connected with the provision of articles of church furniture supplied by the Public Works Department. } By the executive engineer and by the chaplain.

Funds for the above will be provided by the Public Works Department.

The estimates of expenditure to be prepared by the executive engineer and the chaplain should show distinctly the probable charge under each of the following heads:—

(I) New works connected with additions to existing churches and improvements to church compound.

(II) New supplies of furniture for churches and sanctioned articles of church use.

(III) New works connected with additions to existing burial-grounds.

(IV) Repairs to churches and church furniture and maintenance of church compound.

(V) Repairs to burial-grounds, to be executed by Public Works officers.

(VI) Repairs to burial-grounds, including planting and cleaning, to be entrusted to the chaplain or chief civil or military officer of the station or cantonment, under paragraph 4.

It would be convenient if distinct estimates were prepared for each of these classes of expenditure.

* The estimates should be for the financial year, and should be prepared in advance as is prescribed for other budget estimates.

NOTE.—Modifications of the original orders are shown in italics.

The provision of funds to meet the charges above enumerated will be made in the budget estimate of the Public Works Department. The estimates for the same will be subject to the scrutiny of, and be passed by, the Superintending or Chief Engineer or Local Government or Administration, according to the rules in force in the Public Works Department.

The incidence of cost of burial-grounds is given in Volume I, paragraph 829, of the Public Works Department Code, and provision will accordingly be made for such charges in the Imperial or Provincial Budget Estimates, as the case may be.

2. The following scale of establishments should be maintained at all cemeteries :—

(I) For a cemetery of which the area is 5 acres or less, one mali-chaukidar;

(II) For a cemetery of which the area is more than 5 and less than 10 acres, one mali-chaukidar and one assistant coolie;

(III) For a cemetery of which the area is more than 10 and less than 15 acres, one mali-chaukidar and two assistant coolies : and

(IV) For a cemetery of which the area is more than 15 acres, one mali-chaukidar and three assistant coolies.

Where the above scale of establishment is considered insufficient for preserving a cemetery in decent order, the local Government may, subject to the ordinary rules regulating its financial powers, sanction the employment (permanent or temporary) of an additonal assistant coolie in each of the cases mentioned above.

It is left to the local Governments and Administrations to determine the proper wages to be given to each servant. *The charge will be included in the Civil Budget Estimate under Imperial or Provincial, as the case may be.*

* * * * * * * *

4. No portion of the receipts from cemeteries and church compounds should be retained by any Government officer to be directly expended by him self; all such receipts should be paid into the civil treasury to the credit of Government under "XXXI—Civil Works," Imperial or Provincial, as the case may be. But the amount passed upon the joint estimate framed by the executive engineer and chaplain to provide for planting a cemetery and preserving it in decent* order should be entrusted to the chaplain where there is one. Where there is no resident chaplain, the amount should be placed at the disposal of the chief magistrate on the spot, or of the senior military officer if the cemetery is attached to a military cantonment. The necessary funds for the purpose will be advanced by the executive engineer concerned to the chaplain or civil or military officer. Bills for the expenditure should be rendered by the officer to whom the advance has been made, either monthly or otherwise, to the executive engineer, who will charge for the amount thereof in the usual way in his accounts. Until the bills are received and charged off, the advance will be placed in the miscellaneous advance account of the executive engineer. All planting of shrubs and trees† by private persons in cemeteries should be under the control of the chaplain if resident, otherwise under that of the magistrate or senior military officer, as the case may be. When practicable, a well should be sunk in or near every cemetery.

* * * * * * * *

*NOTE.—The term 'decent order' means that Government will provide for the ordinary planting of trees and shrubs and their up-keep including reasonable expenditure on watering [including, when necessary, the employment of bullocks and attendants], necessary implements and plants. The outlay on operations having for their object the ornamentation or embellishment of cemeteries or the maintenance of a high standard of gardening should be met otherwise than from State funds.

Home Department letter to the Ven'ble the Archdeacon of Calcutta, No. 110, dated 22nd May 1883.

†In regard to churches and cemeteries situated with in the limits of a military cantonment the Government of India have decided—

(1) that the chaplain is required to obtain the permission of the officer commanding the station before ordering a tree to be cut down in a cemetery or church compound situated with in the limits of a cantonment;

(2) that the officer commanding the station may order a tree to be cut down in the cemetery or church compound without the chaplain's consent;

(3) that it rests with the chaplain to sell the trees cut down in the cemetery or church compound, the proceeds being paid in, as required by the standing rules, to the civil treasury to the credit of the Public Works Department; and

(4) that the consent of the cantonment authorities should be obtained in respect of all repairs or alterations over which they may exercise control under Chapter VII of the Cantonment Code, 1912.

These orders, however, do not interfere with the duty of the chaplain to see that the cemetery is kept clean of rank vegetation, shrubs, and undergrowth which are not included under the designation of trees.

Home Department letter to the Ven'ble the Archdeacon of Calcutta, No. 148, dated the 26th June 1883.

5. It should be understood that the Government cannot provide cemeteries at the public expense for native Christian communities.

NOTE.—Where their number is small the question is of little importance and is best arranged by mutual concessions or by special provisions made locally by the parties immediately concerned. And I am to suggest for His Lordship's consideration whether if the necessity of dealing at the present time with this matter of Native Christian interment be in his judgment unavoidably established, it should not be carefully examined in consultation with the several local Governments, having regard to the diverse needs and circumstances of the population in each separate province.

Letter No. 364, dated the 9th November 1877.

* * * * * * * *

Finance Department resolution No. 2202 (Expenditure), date Simla, the 15th August 1876

READ certain papers relative to the reduction of minor charges on account of church establishments in India.

First class (churches, the property of Government containing more than 400 sittings at stations where there are European troops):—

	Rs.
1 clerk	12
1 chaukidar-bearer	6
1 water-carrier	5
1 sweeper	4
Lighting	20
TOTAL ...	47 a month.

Second class (churches, the property of Government, containing less than 400 sittings at stations where there are European troops):—

	Rs.
1 chaukidar-bearer ...	5
1 sweeper	4
Lighting	10
TOTAL ...	10 a month.

Third class (churches, the property of Government, at stations with no troops or with only Native troops):—

	Rs.
1 chaukidar-bearer ...	5

RESOLUTION.—After consultation with the several local Governments and Administrations it was decided in February 1875 to reduce the cost of church establishment in India. To carry out this decision, the scale of charges (shown in the margin) was fixed for general adoption, with the reservation that in some places somewhat higher charges might be allowed under exceptional circumstances; and that in the case of third class (non-military) churches, with fluctuating and very limited congregations, a moderate fixed allowance might be granted for lighting and sacramental elements. In accordance with this decision, the several local Governments and Administrations were requested to submit a fresh classification of military churches, and a scale of charges in accordance with the principles thus laid down.

2. After consideration of the reports called for, the Governor General in Council is pleasd to pass the following orders

3. If a clerk is now employed in any second class military church he need not be dismissed; the full reduction of the establishment must await the occurrence of a vacancy.

4. In Madras, including Mysore, but excluding Berar, there are 56 churches* and the cost of establishments on the scale laid down by the Government of India would amount to Rs. 700 a month as against a present charge of Rs. 1,017¼. The Government of Madras recommend, however, that the pay of chaukidar-bearers be fixed at Rs. 7 instead of Rs. 5 each a month; that an establishment of Rs. 47 a month be allowed to the church at Black Town; and that to five of the remaining thirty-six 3rd class non-military churches, the marginally-noted† special allowances be allowed. These proposals are approved with effect from 1st April 1877. A tabular statement showing the financial results of the measure, and including, as a temporary charge, the pay of such clerks as are now on the establishments of the 2nd class military churches, should be forwarded for formal sanction.

	Number of churches.
* 1st class (military)	8
2nd " "	6
3rd " (non-military)	42
Total ...	56

	Rs.
† 1 bearer	7
1 sweeper	5
Lighting allowance ...	18
Total ...	30 each.

5. The Government of Bombay propose (1) to raise the pay of chaukidar-bearers; (2) to allow a peon to each chaplain; (3) to retain clerks for 2nd class military churches; (4) to do away with water-carriers and sweepers, and provide for the duties from the contingent allowance of Rs. 20 a month for lighting for 1st class churches; and (5) to

allow a small contingent allowance to poor 3rd class non-military churches. The tabular statement submitted by the Bombay Government also shows other variations from the standard scale fixed in 1875. The Governor-General in Council regrets that he is unable to sanction peons for chaplains in Bombay; but he is pleased to sanction the following scale for adoption in the Bombay presidency from 1st April 1877, with a request that a tabular statement showing the charges now made may be forwarded to Government for communication to the audit department:—

—	1st class military churches.	2nd class military churches.	3rd class military churches.
	Rs.	Rs.	Rs.
1 clerk	A	...	...
1 chaukidar-bearer	7	7	7
Contingent allowance to cover lighting, and sweepers' and water-carriers' wages.	20	10	B

A.—On the pay proposed by the Archdeacon of Bombay.

B.—A list of the poorer churches, for which a special contingent allowance is asked, should be entered in the tabular statement.

6. The proposal of the Government of Bengal in respect to the six military (1st class) churches, including the two within Fort William, for which the authorised allowance of Rs. 47 a month is considered to be sufficient, is sanctioned with effect from the 1st April 1876; Rs. 100 a month is also allowed for each of the four (3rd class) non-military presidency churches*, from 1st April 1877, for two years, subject to reconsideration at the end of that period; and an allowance of Rs. 55 a month is sanctioned for St. Stephen's Church, Kidderpore, and the church at Howrah, on the same terms. Considering the peculiar character of St. Andrew's kirk in Calcutta and its use by the military, the recommendation of the Reverend Mr. Thompson for an allowance of Rs. 100 when there are two chaplains, and Rs. 185 a month when there is one, is approved from the same date. The necessity for so large an allowance as† Rs. 32 a month for the care of the clock must be further established. The entire services of a competent native artisan could probably be secured for much smaller sum.

*St. John's.
Old Church.
St. James's.
St. Thomas's.

7. In respect to the non-military (3rd class) churches in Bengal, the Governor-General in Council considers that the scale laid down in February 1875 should be more closely adhered to than is proposed by the Government of Bengal. The exceptional allowances there contemplated were intended only for churches with *fluctuating and limited congregations* and not for general adoption. The churches at Dacca, Cuttack, Berhampur, and other places do not appear to be of this class. His Excelleney in Council desires, therefore, that the Government of Bengal will submit a tabular statement more in accordance with the scale laid down in February 1875, and showing the financial results of the arrangements now sanctioned for church establishments in Bengal.

8. The classification of churches, submitted by the Government of the North-Western Provinces, shows that there are 36‡ churches, the proposed cost for the establishment of which is Rs. 670. But it appears doubtful if this classification includes the Episcopalian and Presbyterian churches at Allahabad. This should now be made clear; and the church at Chunar should be ranked as a 3rd class (non-military) church, and not as a second class military church. The usual tabular statement should also be submitted showing the financial result of the charges now authorised with effect from the beginning of the next financial year.

‡7 (1st class) military; including 3 Roman Catholic churches;
14 (2nd class) military, including 3 Roman Catholic churches; and
15 (3rd class) non-military churches.

9. There are 48 churches in the Punjab, and the cost of the establishments proposed for them is Rs. 878 a month. It is also recommended that Rs. 50 a month may be

†This charge was subsequently accepted by the Government of India as an ecclesiastical charge and as part of the church allowance which is given in consideration of the benefit derived by the public from the use of the clock. Letter to Government of Bengal, No. 316, dated the 27th September 1877.

placed at the disposal of the Government of the Punjab for allotments when necessary, to the poorer 3rd class (non-military) churches. The proposals of the Government of the Punjab are sanctioned with effect from 1st April 1877, the usual tabular statement should be submitted.

10. There are 15 churches in the Central Provinces, the cost of the establishments of which is Rs. 205 a month. Revised establishments as shown below are sanctioned for these churches, resulting in an increase of Rs. 17 a month over the existing charge:—

	Existing cost per mensem.	Now sanctioned, per mensem.
	Rs.	Rs.
1st class church at Kamptee	71	47 } A
Ditto at Saugor	39	47 } A
2nd class church at Jubbulpore	38	31 } B
Ditto at Sitabuldi, Nagpur	40	31 } B
3rd class church at Narsingpur, Nimar, and Seoni	17	18
Ditto 1 Chanda, 2 Wardha, 3 Bhandara, 4 Raipur, 5 Hoshangabad, 6 Damoh, 7 Betul, and 8 Chindwara	...	48
Total ...	205	222
Increase ...	...	17

A.—As detailed in paragraph [illegible] of this resolution.

B.— Ditto *plus* the pay of a clerk, temporarily, as sanctioned in paragraph 3.

11. The Chief Commissioner of British Burma submits a list of church establishments in that province, and recommends "that the establishments should be restricted to the scale fixed by the Government of India; but that the rates of pay should be in accordance with those which are customary throughout Burma, where the cost of living is greatly in excess of that of India." He also recommends that an allowance of Rs. 30 a month may be granted to the Roman Catholic Church at Thayetmyo. In accordance with these recommendations the establishments noted below, which are in conformity with the scale laid down in February 1875, are sanctioned for the churches in British Burma with effect from 1st April 1877:—

	1st class Rangoon church.	1st class Rangoon town.	1st class Thayetmyo Protestant church.	2nd class Thayetmyo Roman Catholic church.	1st class Toungoo.	3rd Class. Bassein.	3rd Class. Moulmein.	3rd Class. Akyab.	3rd Class. Kyoukphyoo.	Total.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1 clerk	12	12	12	...	12	...	...	...	...	48
1 chaukidar-bearer	10	10	10	10	10	10	10	8	8	86
1 water-carrier	9	...	10	...	8	...	...	...	...	[illegible]
1 sweeper	6	6	5	5	6	...	...	...	...	28
Lighting, etc.	30	15	30	15	15	...	...	...	5	110
	67	43	67	30	51	10	10	8	13	299
Present cost ...	95-8	67-10	80	...	55	10	114	15	...	437-2
							Decrease		...	138-2

12. In addition to the higher rates of pay for chaukidar-bearers on account of the prevalent wages in the Hyderabad Assigned Districts, the Resident at Hyderabad proposes to add 8 peons at a cost of Rs. 56 a month to the authorised scale of church establishments. The Governor-General in Council regrets that he is unable to depart from the scale already fixed, but is pleased to sanction the other proposals as shown below from the beginning of the financial year :—

—	Clerk.	Chaukidar-bearer.	Water-carrier.	Sweeper.	Lighting, etc.	Total.	Existing cost.	Saving.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1st class church at Secunderabad	12	6	5	4	20	47	64	17
Ditto at Trimulgherry	12	6	5	4	20	47	74	27
2nd class church at Bolaram	8*	6	...	4	10	28	51	23
3rd class church at Aurangabad	...	8	...	...	...	8	33	25
Ditto at Jalna	...	8	...	...	...	8	7	+1
Ditto at Hingoli	...	8	...	...	...	8	20	12
Paid from Berar Revenues.								
3rd class church at Akola	...	8	...	...	...	8	48	40
Ditto at Ellichpur	...	8	...	...	...	8	27	19
Ditto at Amraoti	...	8	...	...	...	8	48	40
TOTAL ...	32	66	10	12	50	170	372	202

* Till vacancy occurs.

13. The list submitted by the Chief Commissioner of Oudh shows that there are only six churches in Oudh—three of the 1st and three of the 2nd class. The proposed classification of these churches is approved, with effect from 1st April 1877, with a request that a tabular statement may now be forwarded.

14. The Chief Commissioner of Assam states that there are in Assam six 3rd class non-military churches, and proposes to pay the chaukidar-bearers at Rs. 10 each a month, remarking that "this is the lowest salary on which a servant can be entertained to perform the above duties in this province." The Governor-General in Council sanctions a chaukidar-bearer for each of the churches in Assam on the pay of Rs. 6 each a month from 1st April 1877, and requests that the usual tabular statement may now be forwarded.

NOTE I.—The Government of India authorise local Governments and Administrations to sanction higher rates of pay for church establishments, when the rates fixed in the above resolution are clearly inadequate.

NOTE II.—Roman Catholic churches or chapels, which are the property of Government and which do not receive the allowances for establishment, lighting, etc., admissible under Army Regulations, India, Volume I, Article 395, are entitled to receive the allowances set forth in the Finance Department Resolution No. 2202 of the 15th August 1876.

NOTE III.—When a first class church receives only an allowance of Rs. 23 a month under the military rules referred to in note II, it is entitled also to an allowance of Rs. 24 a month from civil funds, which may be paid to the chaplain or priest in charge of the church.

Finance Department resolution No. 2719, dated 25th November 1876.

READ again—

Finance Department resolution No. 2202, dated the 15th August 1876, sanctioning a scale of charges for church establishments in India.

READ also—

A letter from the Government of Bombay to the Secretary to the Government of India in the Home Department, No. 199, dated the 28th July 1876, soliciting sanction to the entertainment of a church servant at Asirgarh on a pay of Rs. 7 per mensem from 15th April 1876.

RESOLUTION.—Sanctioned. For the future the President in Council is pleased to empower local Governments to sanction church establishments within the limits fixed

in Financial resolution No. 2202, dated 15th August 1876, without reference to the Government of India, on the understanding that charges thus sanctioned will be entered in the monthly statements of charges locally sanctioned.

No. 7, dated the 9th January 1878.

From—J. O'KINEALY, Esquire, Officiating Secretary to the Government of India, Home Department,

To—The Secretary to the Government of Madras.

I AM directed to acknowledge your letter, dated the 2nd January 1877, No. 2[illegible], submitting, for approval, the proceedings of the Madras Government determining the proposed scale of establishment for the cathedral.

2. In reply, I am to say that the Governor-General in Council is pleased to fix a limit of Rs. 400 per mensem as the maximum grant towards the maintenance of the establishment of the cathedral, with effect from 1st April 1878.

No. 9, dated the 9th January 1878.

From—J. O'KINEALY, Esquire, Officiating Secretary to the Government of India, Home Department,

To—The Secretary to the Government of Bengal.

WITH reference to paragraph 8 of your letter, dated the 5th February 1877, No. 376, regarding the establishment at St. Paul's Cathedral, Calcutta, I am directed to say that the Governor-General in Council is pleased to comply with the recommendation of His Honour the Lieutenant-Governor and sanctions the continuance of the Government grant of Rs. 400 per mensem at present made towards the maintenance of the cathedral establishment.

No. 11, dated the 9th January 1878.

From—J. O'KINEALY, Esquire, Officiating Secretary to the Government of India, Home Department,

To—The Secretary to the Government of Bombay, Ecclesiastical Department.

WITH reference to the correspondence ending with your letter, dated the 29th November last, No. 249, regarding the establishment at St. Thomas's Cathedral, Bombay, I am directed to observe that it appears from the papers submitted that the cost of the cathedral establishment and contingent charges amounts to Rs. 1,084 per mensem, and that the trustees of the cathedral object to any reduction being made, holding that under the trust deed they have an indefeasible right to claim from Government both establishment and contingent charges on the existing scale.

2. The Governor-General in Council does not admit that the trustees alone have the power to decide the question at issue, but His Excellency in Council does not desire to press the matter, and leaves it to be settled by the Bombay Government on the most favourable terms which may be found possible.

3. I am to add that a maximum grant of Rs. 400 per mensem has been fixed for the Cathedrals at Calcutta and Madras.

Finance Department Resolution No. 4016, dated Simla, the 9th November 1881.

READ—

Office memorandum from the Military to the Home Department (Ecclesiastical), No. 1618-S. D., dated the 17th October 1881, proposing a general rule to regulate the incidence of charges on account of clerical and menial establishments for religious services in connection with the troops.

THE undersigned is desired to acknowledge the receipt of the docket from the Home Department, No. 75, dated 5th May 1881, on the subject of the provision of a clerical and menial establishment for Presbyterian religious service in connection with troops. The case in point is that of the 72nd Highlanders.

2. In reply he is to forward the correspondence marginally noted, and to suggest that as (in regard to the general question) there would seem to be some doubt as to the proper incidence of charges on account of such establishment, the present opportunity be taken to settle the question finally.

From the Adjutant General in India, No. 2795-B., dated the 29th June 1881.
From the Controller of Military Accounts, Bengal, No 10642.

3. The present rule as regards chaplains is understood to be as follows, *viz.*—

The Church of England chaplains and the church establishments are paid in the civil department, even though employed in a cantonment solely for the use of the troops.

The pay of the Roman Catholic chaplains and of the Chapel establishments engaged in the service of the troops is borne by the Military Department.

The pay of Presbyterian chaplains and of the church establishments at ordinary stations is borne by the civil department, but the pay of Presbyterian chaplains with Highland regiments is a military charge.

4. It seems, therefore, to the Military Department right that the charge on account of establishments for the church services of Highland regiments should also be a military charge, when the chaplain employed in the services is paid by the Military Department, and that in all other cases where there is a service performed for Presbyterian troops by a civil Presbyterian, Wesleyan or other chaplain, the charge for his services and any temporary establishment should be borne by the civil department.

5. The Military Department considers that the above would be a clearly defined rule which would prevent the mistakes which appear to have been made on more than one occasion in regard to the debit of such charges, and the undersigned is to recommend its adoption to the Home Department.

* * * * * * * *

RESOLUTION.—The rule proposed in paragraph 4 is sanctioned.

APPENDIX B.

Home Department Resolution Nos. 2—2'5 to 287 (Ecclesiastical), dated Simla, the 8th September 1875.

READ the undermentioned correspondence relative to a proposed revision of the rules at present in force for the guidance of chaplains of the Church of England in regard to the burial of such persons as have laid violent hands upon themselves; and of those who having been members of the Roman Catholic church, have been refused burial by the priests of that church :—

From the Government of Fort St. George, No. 142, dated 12th June 1874, and No. 203, dated 28th August 1874.

To the Solicitor to Government, No. 327, dated 22nd September 1874.

From the Solicitor to Government, No. 2316, dated 26th September 1874.

From the Lord Bishop of Calcutta, dated 13th January 1875.

RESOLUTION.—The first question was raised by the refusal of the Reverend C. H. Deane, Chaplain of Bangalore, to read the funeral service over a person who was found by a court of inquest to have committed suicide while in a state of temporary insanity.

2. The subjoined letter * from the Reverend C. H. Deane sets forth the ground of his refusal :

* To Mr. Knox, dated 2nd January 1874.

"When I answered your memorandum about the interment of the remains of the late Sergeant Spiers of the 18th Hussars, I was not aware that he had committed suicide. If, as I understand, there is no doubt that he poisoned himself, I regret to say that I shall not be able to officiate at his funeral. The Rubric before the burial service distinctly forbids it to be used for any that 'have laid violent hands upon themselves,' so that I have no option in the matter. The grave will be ready at 5 P. M.; but no service can be used."

3. The view taken of the question by the Right Reverend the Bishop of Madras is stated in the subjoined letter.†

† To the Chief Secretary to the Government of Fort St. George, No. 483, dated 24th March 1874.

"I am directed by the Right Reverend the Bishop of Madras to acknowledge your communication of the 17th ultimo, forwarding copy of a letter from the Deputy Adjutant-General, transmitting correspondence relative to the Reverend C. H. Deane's refusal to read the funeral service over the late Sergeant Spiers, 18th Hussars, who committed suicide.

"2. In reply I am desired to state that Mr. Deane seems to have been requested to perform the funeral without having been furnished with the customary death report or any intimation that it was a case of suicide.

"3. The coroner's warrant in itself appears to be 'no more than a certificate that the body is not demanded by the law, and that therefore the relations may dispose of it as they please.'—(Wheatley on the Book of Common Prayer.) It does not, therefore, indicate the duty of a clergyman, or place him under legal obligation to give to a body Christian burial.

"4. In keeping with this view, the Government notification in *Fort St. George Gazette*, June 11th, 1850, page 623, when it intimates that 'the Reverend chaplains will in future consider the warrant of the coroner for the interment of a body on which an inquest has been held to be a sufficient authority for their performance of the burial service over it,' adds, 'if it would be their duty, under ordinary circumstances, to perform that service.'

"5. What is the duty of a clergyman when requested to bury a person who has committed suicide is to be ascertained partly from the Rubrics of our church, which are binding upon the clergy and have the force of law; and partly from the limitations of recognised legal commentators.

"6. The Rubric at the opening of 'the order for the burial of the dead forbids a clergyman to use that service for any that have laid violent hands upon themselves.'

"7. In Burn's 'Ecclesiastical Law' it is laid down: 'Of this sort [suicide] are to be understood not all who have procured death unto themselves, but who have done it voluntarily, and consequently have died in the commission of a mortal sin; and not idiots, lunatics, or persons otherwise of insane mind.'

"8. In the same book it is also stated that 'the proper judges whether persons who died of their own hands were out of their senses, are doubtless the coroner's jury.'

"9. In the case under consideration it appears that the Reverend Mr. Deane having regard only to the Rubric and *foro conscientiæ* accounting himself responsible for the interpretation of it, refused to bury the corpse even when he knew that the corner's jury had returned a verdict of temporary insanity.'

"10. In this refusal, I am instructed to state that Mr. Deane has not, so far as the Bishop can ascertain, violated any law, but he has departed from a recognised custom in not accepting the verdict of the coroner's jury as a justification for the using of the church's service over the remains of Sergeant Spiers.

"11. Mr. Cripps, in his 'Practical Treatise on the law relating to the Church and the Clergy' [Ed. 1869]* states: 'No case appears ever to have occurred in which a clergyman, who has refused to bury the corpse of one who has committed suicide in insanity has been punished by the Ecclesiastical Law.' At the same time he adds: 'It must be doubtful whether a departure from a custom of such acknowledged propriety would not be visited with ecclesiastical punishment.'

*Page 793.

"12. In the absence of any court competent to visit with ecclesiastical punishment, the Bishop desires me to point out that it is very painful to a laborious and conscientious clergyman, such as Mr. Deane is, to deny the last offices of the church to one who has been under his spiritual charge, and it must, the Bishop thinks, be allowed that there was much in the circumstances of the present case to support the conclusion at which Mr. Deane arrived. I am, therefore, directed to say that His Lordship is disposed to take a lenient view of Mr. Deane's action, and the more so as those who are endeavouring to check the prevalence of intemperance in the army can ill-afford to lose any aid which a clergyman in the honest discharge of his duty can lawfully render."

4. The Government of Madras referred the whole correspondence for the information and orders of the Government of India.

5. The following brief statement of the English Law will be found sufficient for the present purpose:—By Common Law Christian persons are entitled to burial with the rites of the church. The statutes passed from time to time for the uniformity of public worship have proceeded upon, though not expressly dealing with this state of things. The 68th of the Canons of 1603 recognises it and enjoins the clergy to act upon it. In that Canon occurs the exception of persons excommunicated for some grievous and notorious crime, and of whose repentance no testimony could be given. The Canons of 1603 are no part of the Statute Law, and it is only in a qualified sense that they are part of the

law at all. But this Canon has been taken as truly expressing the ancient Common Law of the Church. The Books of Common Prayer have been embodied into the Statute Law by the various Acts of Uniformity, and Rubrics are authoritative guides when they speak on the question when the services are or are not to be used.

Down to the year 1661 there was no Rubric forbidding the performance of the burial service over any persons except persons excommunicated. The Rubric now in force was framed in the year 1661 and received the force of law from the Uniformity Act of 1662. It prescribes that "the office is not to be used for persons unbaptised or excommunicated, or who have laid violent hands on themselves."

7. The question now is whether the expression "have laid violent hands on themselves" includes all who have committed the overt act of suicide, or only those who have done so deliberately being in their sound senses and in a state in which moral responsibility attaches to them.

8. In Mr. Cripps' * Treatise the following statement is made :—

*Page 793.

The uniform practice, however, so far as it has been able to be ascertained, is in accordance with the reasoning and opinion of Dr. Burn, and it must be doubtful whether a departure from a custom of such acknowledged propriety would not be visited with ecclesiastical punishment.

9. The opinion of Dr. Burn will be found in his work on Ecclesiastical Law, Volume 1, page 265. After referring to the ancient Canon which forbade Christian burial to those who violently put themselves to death, and stating that this rule was understood to apply to those who did the act voluntarily, Dr. Burn intimates that the Rubric should not be construed as severer than the preceding Ecclesiastical Law, and therefore should not apply to persons of insane mind.

10. In the year 1809 the Court of Arches, speaking of the treatment of suicides, put it on the ground that they are supposed to die in the commission of mortal sin, and to have renounced Christianity. *Kemp* versus *Wickes*, 3 Phillimore, pp. 272, 273.

11. The Government of India have not been referred to, and do not know of any authority for holding that the words of the Rubric apply to persons who are not responsible for their actions. It is certain that the practice has not been to apply these words in that way.

12. Under the circumstances the Governor-General in Council comes to the following conclusions :—

(a) It is reasonable in this matter to regulate the conduct of clergymen of the Church of England, who serve the Government of India, by the law and practice of the Church of England.

(b) There is no authority for holding that the Rubric under consideration applies to those who have caused their own death when in a state of mental insanity. For holding the contrary there is the authority of commentators and of judicial *dicta*. There is also the much greater authority derived from a usage which is very widespread and long continued, if indeed it is not quite unbroken. Testing the question by reason, it is only reasonable to hold that the framers of this Rubric did not intend as regards the burial of suicides to alter the law and practice that they found in existence or to visit with what must be considered as an ecclesiastical penalty, an act for which the doer is not responsible.

(c) Sincere respect is due to the scruples felt by conscientious men in performing a service of extreme solemnity. Nevertheless, it would not be reasonable that such scruples should prevail against the ancient law and practice of the Church of England which has been handed down to the present time, and which plainly authorises the use of the burial service over persons who have caused their own death while in a state of insanity.

"(d) *In such cases when the burial service is required to be read, the chaplain of the station should, at the time that his services are requisitioned, be furnished with a certificate under the hand of the District Magistrate, or in his absence the Magistrate of the next highest rank present, to the effect that he is satisfied that the deceased committed suicide while in a state of insanity. On receipt of such a certificate the chaplain will be bound to read the burial service.*"

13. The Governor-General in Council must therefore require from all clergymen connected with the Government their conformity to this ruling.

14. The next point for consideration is the rule requiring chaplains to read the funeral service over the bodies of persons who, having died in the profession of the

NOTE.—Modification of the original orders is shown in italics.

Roman Catholic faith, have been refused burial by the priests of that church. It is stated by the Bishops of Calcutta and Madras that the clergy of the Church of England look upon the rule as bearing hardly upon them, and they desire to have it reconsidered.

15. This rule was laid down in the year 1855 under the belief that the case was governed by positive law, *viz.*, the 68th of the Canons of 1603. But on reconsideration of the matter the Governor-General in Council is of opinion—*1st*, that the Canon in question which is founded on the English parochial system cannot for the purpose now under consideration be applied to the very different circumstances of an Indian station; and *2ndly*, that even if it were applicable, it would not prevent the Government from establishing a different rule of conduct for Indian chaplains if found expedient.

16. The Governor-General in Council further thinks that for the case now under review a different rule is expedient. The chaplain of an Indian station does not stand to the residents in the station in the relation which the parson of an English parish bears to his parishioners. It was expressly so ruled by the Court of Directors in their despatch on this subject bearing date the 30th October 1844. Chaplains have been ordered to abstain from endeavours to influence the religious tenets of Roman Catholic soldiers, and in one case a chaplain was compelled to resign the service for persisting in such endeavours.

17. As regards the chaplains themselves, it does not seem consistent that they should be compelled to perform duties towards the corpse of a man whom when living they were forbidden to approach in any pastoral relation, and the Governor-General in Council admits that the dissatisfaction which the chaplains have felt with the order of 1855 rests on reasonable grounds.

18. As regards other persons, it can hardly be agreeable to the feelings of either Protestants or Roman Catholics that the chaplains should be called in to supply a service which the priest has refused. To Protestants it must seem that in so acting their church is lax and careless about the performance of its solemn rites. To Roman Catholics it can hardly be otherwise than offensive that a stranger, who in their eyes has no authority, should affect to give to a member of their church what the recognised authority of that church has thought fit to withhold. And neither community can wish it on account of any advantage to the dead man; not Protestants, because the whole notion of such an advantage is contrary to their tenets; and not Roman Catholics, because they do not attribute any spiritual character to the chaplain.

19. For the above reasons the Governor-General in Council is pleased to revoke the order issued in the year 1855, and he will request the military authorities to make arrangements for the decent burial of Roman Catholic soldiers to whom the rites of their church have been refused by the priests.

Home Department resolution (*Ecclesiastical*), *No.* 159, *dated Simla, the 6th June* 1877.

Read again—

Home Department resolution No. 275—287, dated the 8th September 1875, laying down certain rules for the guidance of chaplains of the Church of England in regard to the burial of suicides, etc.

Read also—

Office memorandum from the Military Department, No. 810, dated the 16th November 1875, forwarding, for an expression of opinion, a draft General Order which His Excellency the Commander-in-Chief proposes to issue on the subject in accordance with the above rules.

RESOLUTION.—On a reconsideration of the subject, the Government of India think it necessary to modify the rules contained in the resolution of 8th September 1875, so far as regards the burial of deceased Roman Catholics. The Government of India have now decided :—

1st, that at stations where there is a Roman Catholic priest drawing an allowance from Government, he shall be held bound to read the burial service over the body of every deceased Roman Catholic soldier brought for burial, unless he be excused from doing so by the Rubrics and Canons of the Roman Catholic church: and that when the Roman Catholic priest refuses to read the burial service over the body of a deceased Roman Catholic soldier, the military authorities shall make proper arrangements for the decent interment of the corpse;

2ndly, that where there is no Roman Catholic priest paid by the State the Protestant chaplain shall, if requested by the friends of the deceased, or by the officer commanding, be bound to bury the deceased according to the rites and ritual of the Church of England, except in either of the three cases in which Protestant chaplains in India are excused from burying a deceased Protestant *viz.*, dying unbaptised even by lay baptism; excommunicated by the major excommunication; or declared to be *felo de se*; and that when a Protestant chaplain refuses to officiate at the burial of a deceased Roman Catholic soldier, on either of the three abovementioned grounds, the military authorities shall, as in the case of refusal by a Roman Catholic priest, make proper arrangements for the decent interment of the corpse;

3rdly, that whenever, with or without furnishing any explanation of his reasons, a Roman Catholic priest paid by the State or a Protestant chaplain refuses to perform the funeral rites of his Church over the body of a deceased Roman Catholic soldier, the circumstances of the case should be fully reported by the military authorities for the consideration and orders of the Government.

2. The Governor-General in Council is accordingly pleased to direct the modification in the above sense of the provisions of paragraphs 15 to 19, inclusive, of the resolution, dated 8th September 1875.

NOTES.—(1) The expression "proper arrangements for the decent interment of the corpse" in Rules 1 and 2 means that when both the Roman Catholic and Protestant chaplains refuse burial in a case of suicide by a Roman Catholic soldier whilst of unsound mind, the burial service should be read over the body by the officer commanding the deceased's company.

Letter to the Government of Madras, No. 347, dated the 31st October 1877.

(2) The intention of the passage "bound to bury the deceased according to the rites and ritual of the Church of England" in rule 2 is, that the service of the Church of England should be read over the body, if the Protestant chaplain is requested by the friends of the deceased to do so; but the rule does not in any way reimpose on Protestant chaplains the burden of reading the burial service over either soldiers or civilians to whom a Roman Catholic chaplain has refused burial. There is nothing to prevent a chaplain burying anyone if he chooses to do so, provided they are not unbaptised "even by lay baptism," excommunicated by the major excommunication, or declared to be *felo de se*, only the Protestant chaplain is no longer bound to do so.

Letter to the Government of Madras, No. 347, dated the 31st October 1877.

(3) The expression "unbaptised even by lay baptism" in rule 2 is equivalent to "unbaptised by either clerical or lay baptism." The meaning intended to be conveyed is that baptism, either by lay or clerical, is sufficient to prevent a person from being regarded as "unbaptised" for the purposes of the rule.

Letter to the Chief Commissioner of British Burma, No. 194, dated the 2nd June 1879.

Form A.*

Application to erect a monument in the Government cemetery at————————

(Referred to in Part IV, rules 1, 3 and 14.)

1. Name and address of the applicant.
2. Name of the deceased.
3. Denomination to which he belonged.
4. Plot-line and No. of the grave.
5. Whether the existing grave is a masonry grave or not.
   (*a*) In the case of a masonry grave, give a working drawing of its cross-section (showing thickness and height of walls, maximum width between walls, and thickness of the covering slab or slabs) and state the length of inside walls and the nature of the materials used in its construction. (See Part I, rule 13.)
   (*b*) In the case of a non-masonry grave, state the depth of the grave, and the depth from the ground level to which it is intended to dig to provide the necessary foundation.
6. Dimensions of the proposed monument—
   (*a*) Length, breadth, height, from the ground level.
   (*b*) Kind of stone used in each part.
   (*c*) Whether the letters of the inscription are to be leaded, painted or merely cut.
   (*d*) Proposed inscription.
   (*e*) Name of the maker of the monument.
   (*f*) †Whether it is intended to endow the monument.

Date————————

Signature of the applicant.

SPECIFICATION OF ERECTION.

(*a*) Manner of securing leaded letters (if any) :
(*b*) Mortar ingredients, with proportions :
(*c*) Particulars of dowels in joints of border :
(*d*) Railing post and other jointing materials :
(*e*) Other remarks.

————————

Signature of the undertakers makers of the monument.

Date————————

Signature of the applicant.

Approved subject to the following remarks.

Executive Engineer,
————————*Division.*

CERTIFICATE.

Certified that—

(*a*) The $\frac{\text{existing}}{\text{proposed}}$ foundation is adequate.

(*b*) The $\frac{\text{proposed}}{\text{existing}}$ monument comes under class‡ ————————

(*c*) The amount of endowment required is ‡————————

Executive Engineer,

Date————————. ————————*Division.*

No. of 19 .

The above application with a drawing is forwarded to the Venerable the Archdeacon of———— ———————— for approval and return.

————————

Chaplain,

Date————————. *Officer in charge.*

No. of 19 .

The papers are returned to the chaplain of———————— with the intimation that the erection of the proposed monument is sanctioned.

————————

Date ————————. *Archdeacon of*————————

*[This form which is required for permanent record should be printed on stout rice paper. Ample space should be allotted to items 6 (*b*) and (*d*), and for the entries under the specification.

† In the case of a single stone monument only.

‡*Vide* Part IV, rule 6.

Form B.

Transmission of application to Executive Engineer.

(Referred to in rule 2.)

No. of 19 .

THE EXECUTIVE ENGINEER IN CHARGE OF THE CEMETERY.

THE chaplain in charge of the cemetery ____________ has the honour to forward to the Executive Engineer an application (with sketch) to erect a monument over the grave of ____________ in the above cemetery, and to request him to fill in the certificate below the application and to sign the specification if approved.

If the grave is not of masonry throughout, the cost of providing an adequate foundation for the monument should also be separately detailed by the undertakers or makers of the monument, unless such a foundation already exists.

Chaplain in charge of the Cemetery.

From C.

Receipt for endowment fee.

(Referred to in rule 4.)

No. ______

______ CEMETERY.

ENDOWMENT of a ______

to the memory of ______

______

Received of Mr. ______

Rupees ______

endowment.

Executive Engineer,
______ *Division.*

______ 19 .

No. ______

______ CEMETERY.

RECEIVED of Mr. ______

the sum of Rupees ______

being ______

the amount of endowment of a ______

to the memory of ______

______

in ______ cemetery.

Executive Engineer,
______ *Division.*

______ 19 .

No.____________

____________ cemetery.

No. and date of the Archdeacon's sanction.

Name of the deceased.

Name and address of applicant.

Plot-line and number of the grave.

Initials of the Chaplain / [Officer] in charge.

[over.]

Form D.

Intimation of the Archdeacon's sanction.

(Referred to in rules 4 and 5.)

No. dated the

To

THE EXECUTIVE ENGINEER,

____________ *Division.*

Has the honour to return the sanctioned application (with enclosures) for permission to erect a monument over the grave of ____________ (No._______ in plot_______ line_______) in the Government cemetery at ____________

Chaplain / Officer in charge.

No.____________, dated the

____

are/is hereby informed that the Venerable the Archdeacon of ____________ has sanctioned the erection of the proposed monument over the grave of ____________ in the Government cemetery at ____________. They are/He is accordingly requested to pay to the Executive Engineer, __________ Division, the sum of Rs.__________ being the amount of endowment required. The Executive Engineer, who will supervise the ______, should be informed at least a week beforehand of the date and hour on which the monument will be erected.

The Executive Engineer, if the work is executed to his satisfaction, will furnish a certificate to that effect.

Chaplain / Officer in charge.

[over.]

	Rs. A. P.
Fees payable—	
(1) To Executive Engineer for endowment ...	
TOTAL ...	
(2) To Chaplain for erection (particulars) ...	
TOTAL ...	

N.B.—These fees must be paid separately to the officers named.

Chaplain
Officer in charge.

	Rs. A. P.
Fees payable—	
(1) To Executive Engineer for endowment	
TOTAL ...	
(2) To Chaplain for erection (particulars)	
TOTAL ...	

N.B.—The fees must be paid separately to the officers named.

Chaplain
Officer in charge.

Form E (Part I).

________________ PROVINCE.

________________ DIVISION.

Register of endowments received for repairs of monuments in Government cemeteries.

(Referred to in rule 8.)

Year.	Receipt of Endowment.		No. and name of monument.		Amount of endowment.				Remarks.
					Ordinary.		Special.		
	Date.	From whom received.	No.	Name.	Received during year.	Received to end of year.	Received during year.	Received to end of year.	
1	2	3	4	5	6	7	8	9	10
					Rs.	Rs.	Rs.	Rs.	
		Balance of previous year brought forward.	...	...	...	2,000	...	560	
		Cemetery at—							
1901-02	3rd April ...	F. G. Smith, Cawnpore ...	641	Edward Smith	75	...	...	...	
	9th May ...	G. F. Gordon, Umballa ...	656	Charles Gordon	...	...	50	...	
				Total cemetery at ...	75	2,075	50	610	
		Cemetery at B—							
				Total cemetery at ...	...	...	...	...	
				[and so on] ...	...	...	...	...	
				Grand total to end of 1901-02 ...	...	...	...	...	

Form E (Part II).

_______ PROVINCE.

_______ DIVISION.

Account of endowments of monuments.

(Referred to in rule 9.)

Year.	ORDINARY.					SPECIAL.					REMARKS.
	Total endowments to end of previous year.	Interest on (2).	Unspent balance of previous year.	Expended during the year.	Balance unspent 3+4—5.	Total endowments to end of previous year.	Interest on (7).	Unspent balance of previous year.	Expended during the year.	Balance unspent 8+9—10.	
1	2	3	4	5	6	7	8	9	10	11	12
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
1901-02 ...	2,000 0 0	70 0 0	2 0 0	64 0 0	8 0 0	560 0 0	16 0 0	4 0 0	12 8 0	7 8 0	
1902-03 ...	2,075 0 0	...	...	...	...	610 0 0	..	...	...	...	

Form E (Part III).

__________ PROVINCE.

__________ DIVISION.

__________ CEMETERY.

LEDGER account of special endowments.

(Referred to in rule 9.)

Number and name of monument—[421. *Thomas Edwards.*]

Amount of Endowment, Rs. 75.

Dr. Cr.

Date.	Particulars.	Amount.	Date.	Particulars.	Amount.
		Year 1901-02.			
		Rs. A. P.			Rs. A. P.
1st April 1901 ...	To balance (unspent balance of previous year).	1 0 0	15th June 1901 ...	By renewal of railings	3 0 0
	To interest for 1900-01	3 0 0			
				By balance ...	1 0 0
	TOTAL ...	4 0 0		TOTAL ...	4 0 0
		Year 1902-03.			
	To balance ...	1 0 0			

Form F.

__________ PROVINCE.

__________ DIVISION.

__________ CEMETERY.

Statement showing capital sums deposited for repairs of tombs and account of the interest and repairs for the year 1901-02.

(Referred to in rule 15.)

Monuments to whom erected and year of endowment.				Account of interest and repairs.					Remarks.	
No.	Name.	Year.	Amount of endowment.	Balance brought forward.	Interest realized during year.	Total.	Expenditure.	Balance unspent.	By the chaplain or other officer in charge.	By the executive engineer.
1	2	3	4	5	6	7	8	9	10	11
	SPECIAL.		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.		
421	Thomas Edwards	1898	75 0 0	1 0 0	3 0 0	4 0 0	3 0 0	1 0 0	...	...
426	James Freenan	1899	60 0 0	0 8 0	2 0 0	2 8 0	2 0 0	0 8 0	...	...
434	Edward George	1900	84 0 0	...	2 8 0	2 8 0	2 8 0	...	...	...
					and so on					
	TOTAL SPECIAL ...	...	610 0 0	4 0 0	16 0 0	20 0 0	12 8 0	7 8 0	...	...
	TOTAL ORDINARY* ..	...	2,075 0 0	2 0 0	70 0 0	72 0 0	64 0 0	8 0 0	...	...
	GRAND TOTAL ...	...	2,685 0 0	6 0 0	86 0 0	92 0 0	76 8 0	15 8 0	...	...

* Details are not required in the case of ordinary endowments.

__________ *Chaplain or* *Executive Engineer,*

Dated the __________ 19 . } *Officer in charge.* __________ *Division.*

Form G.

(Referred to in rule 8.)

BLOCK.

No.________

*Dated*____________ 19 .

Remitted to—

Treasury at____________.

On account of endowment of monuments in the cemetery*

at____________.

For monument—

No.	Name.	Amount. Rs. A. P.
	________	
	________	
	________	
	________	
	________	
	________	
		________
	Total	
		________

(*Words and Figures.*)

Executive Engineer,

Accountant. ____________ *Division.*

Acknowledged by the treasury officer under

No.________, dated

Accountant. *Executive Engineer.*

*Note—Separate form to be used for each cemetery.

Form G.

TREASURY REMITTANCE NOTE.

No.________

*Dated*____________ 19 .

To

THE OFFICER IN CHARGE OF TREASURY AT____________

SIR,

Please receive the sum of rupees (figures)________ (words)____________ to be credited to the Civil Department as "receipts" on account of endowments of monuments in the Government cemetery at________.

I have the honour to be,

SIR,

Your most obedient servant,

____

Executive Engineer,

____________ *Division.*

____

Accountant.

Form G.

TREASURY OFFICER'S RECEIPT.

No.________

*Dated*____________ 19 .

THE EXECUTIVE ENGINEER,

____________ DIVISION.

SIR,

I beg to acknowledge the receipt of the sum of rupees (figures)____________ (words)____________ forwarded with your Remittance Note No.________, dated____________ 19 , to be credited to the Civil Department as "receipts" on account of endowments of monuments in the Government cemetery at____________.

I have the honour to be,

SIR,

Your most obedient servant,

____

*Officer in charge of Treasury at*____

____

Treasurer.

(Referred to in rule 8.)

Form H.

____________ PROVINCE.

Register of endowments of monuments in Government cemeteries for the year 19 .

	Division.									Division.									Division.														
	Cemetery at A.			Cemetery at B.			Total.			Cemetery at A.			Cemetery at B.			Total.			Cemetery at A.			Cemetery at B.			Cemetery at C.			Cemetery at D.			Grand Total.		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Brought forward from previous year																																	
April 19																																	
May 19 and so on																																	
Total for the year 19 ...																																	
Total end of 19 ...																																	

Form I.

Certificate of proper erection.

Certified that ____

Undertaker(s) / Sculptor(s) at ____

have / has properly erected the monument to the memory of ____________________

____

over grave No ____

plot line ____

in the ____ cemetery.

____________ 19 . *Executive Engineer,*

____________ *Division.*

L. C. PORTER,

Secretary to Government of India.

FROM THE "GAZETTE OF INDIA," DATED JUNE, 7, 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

JUDICIAL.

Simla, the 23rd April, 1913.

No. 470.—In exercise of the powers conferred by section 4 of the Punjab Courts Act, 1884 (XVIII of 1884), the Governor General in Council is pleased to make the following appointments in the Chief Court, Punjab, in the vacancy which will be caused by the retirement of the Hon'ble Sir F. A. Robertson, Kt., I.C.S., on the 29th April 1913, and pending the return of the Hon'ble Mr. W. Chevis, I.C.S., from leave, or until further orders.

The Hon'ble Mian Muhammad Shah Din, Khan Bahadur, Barrister-at-Law, acting Judge of the Chief Court, to be a Judge of that Court.

The Hon'ble Lieutenant-Colonel G. C. Beadon, acting first temporary Additional Judge of the Chief Court, to be second temporary Additional Judge of that Court, and to act as a Judge of that Court.

The Hon'ble Mr. H. Scott-Smith, I.C.S, acting second temporary Additional Judge of the Chief Court, to act as first temporary Additional Judge of that Court.

Mr. P. D. Agnew, I.C.S., a Divisional Judge in the Punjab, to act as second temporary Additional Judge of the Chief Court.

W. S. MARRIS,

Offg. Secretary to the Government of India.

The 2nd June, 1913.

No. 737.—In exercise of the powers conferred by section 138 of the Negotiable Instruments Act, 1881 (XXVI of 1881), the Governor General in Council is pleased to appoint Mr. Mir Muhammad Khan, Pleader, Chief Court, Punjab, to be a Notary Public and to exercise his functions as such in Simla.

The 6th June 1913.

No. 751.—In exercise of the powers conferred by section 4 of the Punjab Courts Act, 1884 (XVIII of 1884), the Governor General in Council is pleased to make the following appointments in the Chief Court, Punjab, during the absence on leave of the Hon'ble Sir Arthur Reid, Kt., Bar-at-Law, or until further orders:

The Hon'ble Mr. A. Kensington, I.C.S., one of the Judges of the Chief Court, to act as Chief Judge.

The Hon'ble Mr. H. Scott-Smith, I.C.S., acting first temporary Additional Judge of the Chief Court, to act as a Judge of that Court.

The Hon'ble Mr. P. D. Agnew, I.C.S., acting second temporary Additional Judge of the Chief Court, to act as first temporary Additional Judge of that Court.

The Hon'ble Rai Bahadur Shadi Lal, Bar-at-Law, to act as second temporary Additional Judge of the Chief Court.

MEDICAL.

The 5th June, 1913.

No. 371.—The designation of the Secretary to the Director-General, Indian Medical Service, will in future be "Deputy Director-General, Indian Medical Service".

H. WHEELER,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

ORDER OF THE STAR OF INDIA.

NOTIFICATION.

Simla, the 3rd June, 1913.

No. 16-*S.I.*—His Excellency the Grand Master of the Most Exalted Order of the Star of India is pleased to announce that His Imperial Majesty the KING, EMPEROR OF INDIA, has been graciously pleased to make the following promotion in, and appointments to, the said Order:—

To be Knights Commanders.

The Honorable Mr. MICHAEL FRANCIS O'DWYER, C.S.I., Indian Civil Service, Lieutenant-Governor of the Punjab.

The Honorable Lieutenant-Colonel Sir GEORGE ROOS-KEPPEL, K.C.I.E., Chief Commissioner and Agent to the Governor-General, North-West Frontier Province.

To be Companions.

* * * * * * * *

FREDERICK WILLIAM JOHNSTON, Esquire, C.I.E., Indian Civil Service, Deputy Secretary in the Finance Department of the Government of India.

* * * * * * * *

A. H. McMAHON,

Secretary to the Government of India.

ORDER OF THE INDIAN EMPIRE.

NOTIFICATION.

Simla, the 3rd June, 1913.

No. 51-*I.E.*—His Excellency the Grand Master of the Most Eminent Order of the Indian Empire is pleased to announce that His Imperial Majesty the KING, EMPEROR OF INDIA, has been graciously pleased to make the following appointments to the said Order:—

To be Companions.

Major GEORGE KEMP WALKER, F.R.C.V.S., Indian Civil Veterinary Department, Professor of Sanitary Science, Punjab Veterinary College, Punjab.

Sardar ARUR SINGH, Sardar Bahadur, Honorary Magistrate and Manager, Darbar Sahib, Amritsar, Punjab.

* * * * * * * *

A. H. McMAHON,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

IMPERIAL SERVICE ORDER.

NOTIFICATION.

Simla, the 3rd June, 1913.

No. 1340-*I.C.*—His Imperial Majesty the KING, EMPEROR OF INDIA, has been graciously pleased to make the following appointments :—

To be Companions.

Civil Services in India.

WILLIAM HAWKINS, Esquire, Registrar, Education Department, Punjab.

* * * * * *

A. H. MCMAHON,
Secretary to the Government of India.

FOREIGN DEPARTMENT.

KAISAR-I-HIND GOLD MEDAL.

NOTIFICATION.

Simla, the 3rd June 1913.

No. 1341-*I.C.*—His Excellency the Viceroy and Governor-General is pleased to announce that His Imperial Majesty the KING, EMPEROR OF INDIA, has been graciously pleased to award the Kaisar-i-Hind Medal of the First Class for Public Service in India to—

LADY DANE, wife of Sir Louis Dane, retiring Lieutenant-Governor of the Punjab.

* * * * * *

Sardar DYAL SINGH, Man, Sardar Bahadur, Public Works Department, Punjab, President of the Council of Administration of the Faridkot State, Punjab.

* * * * *

FREDERICK ST. GEORGE de LAUTOUR BOOTH-TUCKER, Esquire, Salvation Army.

His Excellency the Viceroy and Governor-General is pleased to award the Kaisar-i-Hind Medal of the Second Class for Public Service in India to—

Miss ELLEN MARGARET FARRER, M.B., B.S. (Lond.), Baptist Mission, Bhiwani, Punjab,

Mr. BHAGAT RAM, Barrister-at-Law, Jullundur, Punjab.

* * * * *

A. H. MCMAHON,
Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 3rd June, 1913.

No. 1350 *I.C.*—His Excellency the Viceroy and Governor-General is pleased to confer upon Munshi Sant Singh (Extra Assistant Commissioner in the Punjab), President of the Council of Administration of the Kalsia State, the title of Sardar Bahadur as a personal distinction.

No. 1351-*I. C.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Khan Bahadur, as a personal distinction, upon—

* * * * * *

Malik Ghulam Muhammad Khan, of Pindigheb, Attock District, in the Punjab.

Dr. Abdur Rahman, Vice-President of the Municipal Committee and Sub-Registrar, Pathankot, Gurdaspur District, in the Punjab.

* * * * * *

Risaldar-Major Malik Ghulam Muhammad Khan, *Sardar Bahadur*, 39th King George's Own Central India Horse, of the Shahpur District, in the Punjab.

* * * * * *

No. 1352-*I. C.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Rai Bahadur, as a personal distinction, upon—

* * * * * *

Rai Sahib Lala Narinjan Das, Public Prosecutor, Lahore, in the Punjab.

Rai Sahib Lala Sundar Das, Suri, M.A., Inspector of Schools, in the Punjab.

Rai Sahib Lala Bishen Das, Pleader and Vice-President of the Jhelum Municipality, in the Punjab.

* * * * * *

No. 1354-*I. C.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Sardar Sahib, as a personal distinction, upon—

Bedi Sujan Singh, of Una, Hoshiarpur District, in the Punjab.

Bhai Kartar Singh, Sub-Assistant Surgeon, in the Punjab.

No. 1355-*I. C.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Khan Sahib, as a personal distinction, upon—

* * * * * * * *

Sheikh Ahmad Yar, of Dera Ghazi Khan, in the Punjab.

Sheikh Muhammad Din, Pleader, Chief Court, in the Punjab.

Munshi Kamal-ud-din, Tahsildar, in the Punjab.

Ahmad Jan, Inspector of Police, in the Punjab.

Malik Paindeh Khan, of Darapur, Jhelum District, in the Punjab.

Sheikh Illahi Bakhsh, Inspector of Police, in the Punjab.

Sheikh Abdul Aziz, B.A., Editor of the "Observer" Newspaper, Lahore, in the Punjab.

* * * * * * * *

Cooverjee Cursetjee Mehta, of Jullundur Cantonment, Jullundur District, in the Punjab.

Munshi Faiz Ali, Permanent Way Inspector, North-Western Railway.

* * * * * * * *

No. 1356-*I. C.*—His Excellency the Viceroy and Governor-General is pleased to confer the title of Rai Sahib, as a personal distinction, upon—

* * * * * * * *

Mr. Sewak Ram, Bar.-at-Law and Honorary Magistrate, Lyallpur, in the Punjab.

Lala Paras Ram, of Beri, in the Rohtak District, in the Punjab.

Diwan Charn Das, of Sialkot, in the Punjab.

Lala Kahan Chand (Extra Assistant Commissioner in the Punjab), Settlement Officer, Gwalior, in Central India.

Lala Badri Pershad, Extra Assistant Commissioner, in the Punjab.

* * * * * * * *

Pandit Bisheshar Nath Razdan, Chief Accountant, Office of the Examiner of Accounts, North-Western Railway.

* * * * * * * *

A. H. McMAHON,

Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATION.

SEPARATE REVENUE.

STAMPS AND INCOME TAX.

Simla, the 2nd June, 1913

No 579-*F*.—In exercise of the powers conferred by section 28, clauses (*a*) and (*b*) of the Co-operative Societies Act, 1912 (II of 1912), the Governor-General in Council is pleased to direct that the word "credit" shall be omitted wherever it occurs in the Finance Department Notifications Nos. 681-F. and 683-F., dated the 28th December 1912.

J. B. BRUNYATE,

Off. Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

TELEGRAPHS.

Simla, the 7th June, 1913.

No. 4423-85.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Governor-General in Council is pleased to direct that the following alteration shall be made in the rules published with the Notification of the Government of India in the Department of Commerce and Industry, No. 6975-137, dated the 16th September 1909, as subsequently amended, namely :—

In Rule 86 for the words "State telegrams addressed to officers of Government, either by official designation or name, and private telegrams addressed to such officers by official designation only, will be re-directed free" the following shall be substituted :—

"All State telegrams to whomsoever addressed, and all private telegrams addressed to officers of Government by official designation only, will be re-directed free."

J. F. GRUNING,

Offg. Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

SANITARY.

Simla, the 6th June, 1913.

No. 907.—The designation of the Secretary to the Director-General, Indian Medical Service (Sanitary), will in future be Assistant Director-General, Indian Medical Service (Sanitary).

L. C. PORTER,

Secretary to the Government of India.

Punjab Government Press, Lahore—13-6-13—586—850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JUNE 20, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED APRIL 12TH, 1913.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 9th April, 1913.

No. 784-I. B.—Whereas the Governor General in Council has within the lands lying within the States of Bhavnagar, Gondal, Junagarh, Baroda, Chuda, Vala, Lathi, Jetpur, Bantva, and Kotda Pitha, which have been assigned for the purposes of the Bhavnagar Railway, the Dhasa-Dhoraji section of the Gondal-Porbandar Railway and the Junagarh Railway, respectively, the jurisdiction necessary for the administration of the said railways:

And whereas the Governor General in Council has full and exclusive jurisdiction of every kind over all the other lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter, be occupied by the railways specified in the first column of the said schedule (including the lands occupied by stations and out-buildings and for other railway purposes) and over all persons and things whatsoever within the said lands:

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf the Governor General in Council is pleased to apply to the said lands the provisions of the Indian Railways Act, 1890 (IX of 1890), and of the Indian Railway Board Act, 1905 (IV of 1905), in so far as the same may be applicable and subject to any amendments to which those Acts are for the time being subject in British India:

Provided that in the Indian Railways Act, 1890, as so applied, references to a Local Government shall be read as referring to the Governments and Authorities mentioned in the third column of the said schedule in respect to the railway lands specified in the corresponding entries in the first and second columns: and references to the Magistrate of the district as referring to the officer exercising within the railway lands in question the powers of a District Magistrate as described in the Code of Criminal Procedure, 1898.

II. In exercise of the powers conferred by sections 16, 47, 84, 85, 135 and 144, read with section 148, sub-section (1), of the Indian Railways Act, 1890, as so applied, the Governor General in Council is pleased to issue the following orders:—

1. The use of locomotive engines or other motive power and rolling stock to be drawn or propelled thereby is sanctioned on all the said railways.

2. The General Rules for working open lines of railway administered by the Government which were published in the notification of the Railway Board, No. 183, dated the 8th September 1905, shall apply to such of the said railways as are used for the public carriage of passengers, animals or goods, subject to any amendments to which the said Rules are for the time being subject in British India.

Provided that the Rules shall further be subject—

(a) in the case of any such railway not administered by the Government, which lies partly in British India or is comprised in a railway system having some portion in British India, to any modifications in force for the time being on the said part or portion in British India, and

(b) in the case of the Dhrangadhra, Gondal-Porbandar, Jamnagar, Jetalsar-Rajkot, Junagarh and Morvi Railways to any modifications in force for the time being on the Bhavnagar Railway, unless otherwise directed.

3. The General Rules for working railways under construction and not open for traffic, which were published in the notification of the Railway Board, No. 114, dated the 6th July 1912, shall apply to such portions of the said railways as are for the time being under construction or are sanctioned for construction, subject to any amendments to which the said Rules are for the time being subject in British India.

4. The Rules regarding notices of, enquiries into, and returns of accidents, published in the notifications of the Government of India in the Public Works Department (Railway), No. 81, dated the 7th March 1902, and No. 301, dated the 2?th August 1902, shall apply to all the said railways, subject to any amendments, to which the said Rules are for the time being subject in British India.

5. To the extent and subject to the conditions hereinafter specified the following powers and functions which are vested in the Governor General in Council under the Indian Railways Act, 1890, as applied, are hereby delegated to the Local Governments aforesaid : the powers and functions so delegated being liable to be revoked or varied, and the exercise and discharge thereof to be controlled, as the Governor General in Council may from time to time think fit—

(1)) *Sections* 7, 9 *and* 11.—All the powers and functions of the Governor General in Council, subject to the proviso that the exercise and discharge of such powers and functions shall not entail any expenditure in excess of the general powers of sanction of the Local Government concerned.

(2) *Section* 48.—All the powers and functions of the Governor General in Council but only in cases where the railways concerned are under the control of one and the same Local Government.

(3) *Section* 51, *clause* (a), (b), (c), (d) *and* (e), *and section* 55.—All the powers and functions of the Governor General in Council.

(4) *Section* 63.—The power of determining the vernacular languages in which the maximum number of passengers to be carried in each compartment shall be exhibited.

(5) *Section* 83.—The power of notifying the Magistrates and Police officers to whom notices of railway accidents are to be given.

6. The following notifications of the Government of India in the Foreign Department are hereby cancelled to the extent noted against each :—

No. 3524-I., dated the 5th September 1889	So much as related to the sections of the Bhavnagar-Gondal Railway from Dhola to Bhavnagar and from Dhola to Dhasa and the Jetalsar-Verowal and Dhoraji Porbandar extensions.
No. 1332 I., dated the 23rd March 1891	Paragraph 2.
No. 3387 I.-B., dated the 31st October 1896	The whole.
No. 1097-F., dated the 24th March 1905	So much as applied the Indian Railway Board Act, 1905, to these lands.
No. 534-I.-B., dated the 8th February 1907, as subsequently amended.	The whole.

SCHEDULE.

	Railway.	State.	Local Government.
* *	* *	* *	* * *
Bombay Baroda and Central India Railway system.	*Main line.* Sabarmati-Delhi	Nabha	The Government of the Punjab.
		Pataudi	
*	*	*	* *
	Rewari-Bhatinda-Fazilka Section.	Dujana	The Government of the Punjab.
		Jind	
		Patiala	
		Faridkot	
		Nabha	
* *	* *	* *	* * *
	Rewari-Phulera Chord	Nabha	The Government of the Punjab.
		Patiala	
* *	* *	* *	* * *
East Indian Railway system.	Delhi-Ambala Kalka Railway: Ambala-Kalka	Patiala	The Government of the Punjab.
		Kalsia	
* *	* *	* *	* * *
Jodhpur-Bikaner Railway system.	Jodhpur-Bikaner Railway: Bhatinda-Bikaner frontier	Patiala	The Government of the Punjab.
* *	* *	* *	* * *
North-Western Railway system.	North-Western Railway: *Main Line.* Ambala-Amritsar	Patiala	The Government of the Punjab.
		Nabha	
		Kapurthala	
* *	* *	* *	* * *
	Raewind-Bhatinda Branch.	Faridkot	The Government of the Punjab.
		Nabha	
		Patiala	
	Jammu-Kashmir Section Sialkot-Jammu	Jammu	The Government of the Punjab.
	Kalka-Simla Railway	Patiala	The Government of the Punjab.
		Baghat	
		Keonthal	
	Ludhiana-Dhuri Jakhal Railway.	Malerkotla	The Government of the Punjab.
		Patiala	
		Nabha	
		Jind	
	Rajpura Bhatinda Railway	Patiala	The Government of the Punjab.
	Southern Punjab Railway	Nabha	
	Main Line. Rohtak-Bhatinda Samasata	Jind	The Government of the Punjab.
		Patiala	
		Bikaner	
		Bahawalpur	
	Ludhiana Extension. McLeodganj-Fazilka	Bahawalpur	The Government of the Punjab.
	Narwana-Kaithal Branch.	Patiala	The Government of the Punjab.
* *	* *	* *	* * *

A. H. McMAHON,
Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 16th April, 1913.

No. 855-*I.B.*—In exercise of the powers conferred by section 3 of the Administrator General's Act, 1874 (II of 1874), and in supersession of the notifications of the Government of India in the Foreign Department, No. 101-J., dated the 19th July 1878, as subsequently amended, and No. 812 E., dated the 19th April, 1890, except in so far as they relate to the Baluchistan Agency territories and to the parganas of Todgarh, Diwair, Saroth, Chang and Kot Karana in Merwara, the Governor General in Council is pleased to direct that the territories, save the portions aforesaid and Berar, of the States in India named below shall, for the purposes of the said Act, be included in the Presidencies of Bengal, Madras and Bombay, respectively, as follows :—

IN THE PRESIDENCY OF MADRAS.

Hyderabad.

The States in the political control of the Government of Madras.

The portions of the Kalahandi State occupied by the Raipur-Vizianagram section of the Bengal-Nagpur Railway.

IN THE PRESIDENCY OF BOMBAY.

Baroda.

Kalat.

Las Bela.

The States in Central India, other than those in the Baghelkhand and Bundelkhand Agencies and excluding the portions of the Indore State occupied by the Malwa section of the Rajputana-Malwa Railway south of the river Narbada.

The States in Rajputana, excluding the portions of the Bharatpur State occupied by the Agra-Delhi Chord Railway and by the Cawnpur-Achnera section of the Rajputana-Malwa Railwwy.

The States in the political control of the Government of Bombay.

IN THE PRESIDENCY OF BENGAL.

Nepal.

Sikkim.

The States in the political control of the Government of Fort William in Bengal.

The States in the political control of the Chief Commissioner of Assam.

The States in the political control of the Government of Bihar and Orissa, excluding the portions of the Kalahandi State occupied by the Raipur-Vizianagram section of the Bengal-Nagpur Railway.

The States in Central India in the Baghelkhand and Bundelkhand Agencies, namely :—

Baghelkhand.	Bundelkhand.	
Baraundha.	Ajaigarh.	Garrauli.
Bhaisaunda.	Alipura.	Gaurihar.
Jaso.	Banka Pahari.	Jigni.
Kamta Rajaula.	Baoni.	Lughasi.
Kothi.	Beri.	Naigawan Rebai.
Maihar.	Bihat.	Orchha.
Nagod.	Bijawar.	Panna.
Pahra.	Bijna.	Samthar.
Paldeo.	Charkhari.	Sarila.
Rewa.	Chhatarpur.	Tori Fatehpur.
Sohawal.	Datia.	The Alampur Pargana of Indore.
Taraon.	Dhurwai.	

The portions of the Bharatpur State occupied by the Agra-Delhi Chord Railway and by the Cawnpur-Achnera section of the Rajputana-Malwa Railway.

The States in the political control of the Government of the United Provinces of Agra and Oudh.

Jammu and Kashmir.

The States in the political control of the Government of the Punjab.

The portions of the Indore State occupied by the Malwa section of the Rajputana-Malwa Railway south of the river Narbada.

The States in the political control of the Chief Commissioner of the Central Provinces.

The States in the political control of the Government of Burma.

Provided that all proceedings pending at the date of this notification shall be carried on as if this notification had not been issued.

A. H. McMAHON,

Secretary to the Government of India.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED JUNE 7, 1913.

Nos. 713—734.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

JUDICIAL.

Simla, the 2nd June 1913.

RESOLUTION.

IN exercise of the powers conferred by section 2 of the East India Contracts Act, 1870 (33 and 34 Vict., Cap. 59), and of all other powers enabling him in this behalf, the Governor General in Council is pleased, in supersession of existing orders, to declare that the undermentioned classes of deeds, contracts and other instruments referred to in section 2 of the Government of India Act, 1859 (22 and 23 Vict., Cap. 41), may be executed as follows:—

A.—In the case of the Governor General in Council—

1. All deeds and instruments relating to any matters other than those hereinafter specified.	By a Secretary to the Government of India.
2. All deeds and instruments relating to railway matters other than those hereinafter specified.	By the Secretary to the Railway Board.

B.—In the case of the Army Department—

I.—In the Military Works Services (subject to any limits fixed by the Government of India):—

1. All instruments relating to purchase, supply and conveyance or carriage of materials, stores, machinery, etc. 2. All instruments relating to the execution of works of all kinds connected with buildings, bridges, roads, canals, tanks, reservoirs, docks and harbours, and embankments, and also instruments relating to the construction of water-works, sewage works, and the erection of machinery. 3. Security bonds for the due performance and completion of works. 4. Security bonds for the due performance of their duties by Government servants whom the officers specified have power to appoint. 5. Leases for grazing cattle on canal banks or roadsides; for fishing in a canal; for the cultivation of land; leases of water for irrigation and other purposes, and leases of water power; and instruments relating to the sale of grass, trees or other produce on roadsides or in plantations. 6. Leases of houses, land or other immoveable property, provided that the rent reserved shall not exceed Rs. 5,000 a month.	By the Director-General of Military Works, Commanding Royal Engineers, Assistant Commanding Royal Engineers and Garrison Engineers.
7. All instruments connected with the reconveyance of property given as security. 8. Instruments connected with the collection or framing of tolls at bridges or ferries or other means of communication provided by the Local Government. 9. Agreement for the recovery of fines on account of drift wood or other timber passing into a canal. 10. Agreements with temporary establishments.	By the Director-General of Military Works, Commanding Royal Engineers, Assistant Commanding Royal Engineers and Garrison Engineers.
11. Agreements entered into in India with civilian mechanics and others for a specified period of service in the Military Works Services.	By the Director-General of Military Works.
12. All deeds and instruments relating to any matters other than those specified in heads 1 to 11.	By a Secretary to the Government of India or a Secretary to a Local Government.

II.—Contracts and other instruments for the Ordnance Department :—

1. Contracts for stores obtained in India for supplies to arsenals, depôts or factories.	By the Director-General of Ordnance in India, Director of Ordnance Factories, Director of Ordnance Stores and Director of Ordnance Inspection.
2. Contracts for undertaking sales of unserviceable stores.	
3. Agreements entered into in India with civilian employés for a specified period of service in ordnance establishments.	
4. Contracts for landing, weighing and forwarding ordnance stores.	
5. All instruments connected with the reconveyance of property given as security.	By the Director-General of Ordnance in India, Director of Ordnance Factories, Director of Ordnance Stores and Director of Ordnance Inspection, Assistant Director of Ordnance Stores in charge of arsenals and Superintendents of Factories.

III.—Contracts for the Supply and Transport Corps :—

1. Contracts for supplies and services to and purchases from the Supply and Transport Corps.	By the Secretary to the Government of India in the Army Department, the Quarter-Master General in India, Divisional Brigade and Station Commanders, and officers of the Supply and Transport Corps other than Departmental officers with honorary rank.
2. All instruments connected with the reconveyance of property given as security.	
3. Agreements entered into in India with civilian employés for a specified period of service in the Supply and Transport Corps.	

IV.—Contracts for the Army Clothing Department :—

1. Contracts for supplies and services to and purchases from the Army Clothing Department.	By the Secretary to the Government of India in the Army Department, the Quarter-Master General in India, and Superintendents of Army Clothing Factories.
2. All instruments connected with the reconveyance of property given as security.	
3. Agreement entered into in India with civilian employés for a specified period of service in the Army Clothing Department.	

V.—Contracts for the Medical Department :—

1. All contracts for supplies and services to and purchases from the Medical Store Department.	By the Director-General, Indian Medical Service, and Medical Store-keepers to Government.
2. All instruments connected with the reconveyance of property given as security.	By Medical Store-keepers to Government.
3. Agreements with passed candidates for the Indian Subordinate Medical Department.	By Principals of Medical Colleges and Schools.
4. Security bonds on behalf of native military medical pupils.	
5. Agreements entered into in India with Lady Nurses of Queen Alexandra's Military Nursing Service for India.	By the Director, Medical Services in India.
6. Agreements with Matrons of Station Family Hospitals in India.	By the Officer Commanding the Station Hospital concerned.

VI.—Contracts and other instruments for the Army Remount Department :—

1. Agreements with shippers for landing horses at the Presidency Remount Depôt, Calcutta.	By the Quarter-Master General in India or the Superintendent, Remount Depôt, Calcutta.
2. Contracts for undertaking the sale of rejected Government animals.	By the Quarter-Master General in India.

3. Contracts for the occupation of land ...	By Superintendents of Remount Depôts and Circles with the approval of the Quarter-Master General in India.
4. Contracts for grain, fodder or stores ...	
5. All instruments connected with the reconveyance of property given as security.	By the Quarter-Master General in India and Superintendents of Remount Depôts and Circles.
6. Contracts for petty works at Remount Depôts and Circles.	By Superintendents of Remount Depôts and Circles.

VII.—Contracts and other instruments for the Farms Department:—

Leases of land required for cultivation, grazing or other purposes by the Farms Department and instruments relating to other rights on lands under grass cultivation.	By an officer of the Farms Department.

VIII.—In the Military Accounts Department:—

1. Deeds of reconveyance of dwelling and mess houses and of volunteer corps buildings which have been mortgaged to Government as security for the payment of building advances or loans.	By Controllers of Military Accounts and Deputy Controllers of Military Accounts in independent charge.
2. Agreements for the supply of school or religious books.	
3. Contracts for printing work	
4. All instruments connected with the reconveyance of property given as security.	
5. Agreements for the hire of houses required for the accommodation of Military Accounts Offices.	By Controllers or Deputy Controllers of Military Accounts.

IX.—Contracts and instruments relating to Cantonments:—

1. Contracts relating to land belonging to Government situate in cantonments, if for periods exceeding twelve months in each case.	By the General Officer Commanding the Division or Independent Brigade.
2. Contracts relating to land belonging to Government situate in Cantonments if for periods not exceeding twelve months in each case.	(a) By the Secretary to the Cantonment Committee, in Cantonments, where there is such a Committee, and (b) by the Commanding Officer of the Cantonment in those cases in which a Cantonment Committee has not been constituted.
3. Other contracts	

X.—General instruments and contracts:—

1. Agreements with clerks, copyists, draughtsmen, accountants, cashiers, agents, and Store-keepers whom the officer is empowered to appoint.	By any commissioned Military Officer.
2. Contracts for the supply of hot weather establishments and other temporary labour.	By the Officer Commanding a unit, the Officer Commanding a sanitarium, and the officer in charge of a hospital.
3. Contracts for petty supplies to hospitals ...	By officers in charge of hospitals.

C.—In the case of the Royal Indian Marine and the Indian Troop Service.

1. Contracts for conveyance of troops, military stores etc.	By the Secretary to the Government of India, Marine Department.
2. Contracts for supply of Miscellaneous Marine Stores, Bombay Dockyard.	By Director of the Royal Indian Marine.
3. Contracts for supply of Miscellaneous Marine Stores, Kidderpore Dockyard.	By Deputy Director, Royal Indian Marine.
4. Contracts for provisions and Medical Comforts, Bombay Dockyard.	By Director, Royal Indian Marine.
5. Contracts for provisions and Medical Comforts, Kidderpore Dockyard.	By Deputy Director, Royal Indian Marine.
6. Contracts for supply of Indian and Welsh Coals.	By Director, Royal Indian Marine.
7. Contracts for sailmaking, Bombay Dockyard	By Director, Royal Indian Marine.
8. Contracts for sailmaking, Kidderpore Dockyard.	By Deputy Director, Royal Indian Marine.
9. Contracts for washing troop bedding, Indian Troop Service, Bombay Dockyard	By Resident Transport Officer.
10. Contracts for manufacture of coir-rope, Kidderpore Dockyard.	By Deputy Director, Royal Indian Marine.
11. Charterparties (hire of transport and for conveyance of troops, etc.).	By Director, Royal Indian Marine.

12. Agreements for temporary employment of engineers, engine drivers and gunners, Bombay and Kidderpore Dockyards.	By Director, Royal Indian Marine.
13. Contracts for engagement of crews for vessels of the Royal Indian Marine.	By the officers in command of such vessels and by the Staff Officers of the Bombay and Kidderpore Dockyards.
14. Auction sale business, Bombay Dockyard ...	By Director, Royal Indian Marine.
15. Contract for slinging and unslinging hammocks. Bombay Dockyard. 16. Contract for repairing clews and splicing lanyards, Bombay Dockyard. 17. Contract for repairing and re-stuffing troop bedding, Bombay Dockyard.	By Director, Royal Indian Marine.
18. Contract for removal of coal ashes, Bombay.	By Director, Royal Indian Marine.
19. Contract for supply of coal to Port Blair.	By Deputy Director, Royal Indian Marine.
20. Contract for supply of Welsh Coal at Aden.	By Marine Transport Officer, Aden.
21. Contract for washing troop bedding, Indian Troop Service at Karachi. 22. Contract for cleaning and painting troop, decks, transporting crews of troopships, packing, sewing and making troop bedding and landing and shipping Marine Stores at Karachi. 23. Contract for repairing and re-stuffing troop bedding at Karachi. 24. Contract for slinging and unslinging hammocks at Karachi. 25. Contract for repairing clews and splicing lanyards at Karachi.	By Resident Transport Officer, Bombay.
26. Contract for supply of provisions and Medical comforts in Upper Burma.	By Marine Transport Officer, Rangoon.
27. Contract for supply of provisions to Steam Launches "Muzbee" and "Sapper" at Karachi.	By Marine Transport Officer, Karachi.
28. Contract for supply of rations to R.I.M.S. "Comet" at Bagdad.	By Officer Commanding R.I.M.S. "Comet."

D.—In the case of the Currency Department, Treasuries and Account Offices:—

1. Mortgage-deeds given as security in connection with the employment of officers as Treasurers and the like in Currency Offices, and agreements entered into with such officers.	By the Head Commissioner or Commissioner of Paper Currency.
2. Mortgage-deeds given as security in connection with the employment of officers as Treasurers in District or Sub-District Treasuries and agreements entered into with such officers.	By Collectors or Deputy Commissioners of Districts.
3. Mortgage-deeds given as security in connection with the employment of Treasurers, Cashiers or Clerks in Account Offices, charged with the disbursement of money or the custody and handling of securities.	By the Head of the Office.
4. Instruments relating to the re-assignment of insurance policies which are assigned to the Secretary of State for India in accordance with the rules regulating the General Provident Fund.	By the Account Officer of the Fund, as defined in the rules of the Fund.

E.—In the case of the Public Works Department (subject to any limits fixed in Departmental orders):—

1. All instruments relating to purchase, supply and conveyance or carriage of materials, stores, machinery, etc. 2. All instruments relating to the execution of works of all kinds, connected with buildings, bridges roads, canals, tanks, reservoirs, docks and harbours and embankments, and also instruments relating to the construction of water works, sewage works, the erection of machinery, and the working of coal-mines. 3. Security bonds for the due performance and completion of works. 4. Security bonds for the due performance of their duties by Government servants whom the officers specified have power to appoint.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Executive Engineers in the Buildings and Roads and Irrigation Branches, the Military Secretary to His Excellency the Viceroy, and the Superintendents of the Viceregal Estates.

5. Leases for grazing cattle on canal banks or roadsides; for fishing in a canal; for the cultivation of land under the Irrigation Department, leases of water for irrigation and other purposes, and leases of water-power; and instruments relating to the sale of grass, trees or other produce on roadsides or in plantations.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Divisional Officers in the Buildings and Roads and Irrigation Branches, and in Bengal by Sub-Divisional Officers of the Irrigation Branch.
6. Leases of houses, land or other immoveable property, provided that the rent reserved shall not exceed Rs. 5,000 a month. 7. All instruments connected with the reconveyance of property given as security. 8. Instruments connected with the collection or farming of tolls at bridges or ferries or other means of communication provided by the Local Government.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Executive Engineers in the Buildings and Roads and Irrigation Branches.
9. Agreements for the recovery of fines on account of drift wood or other timber passing into a canal.	By Chief Engineers, Superintending Engineers, Superintendents of Works, and Executive Engineers in the Irrigation Branch.
10. All deeds and instruments relating to any matters other than those specified in heads 1 to 9.	By Secretaries and Joint Secretaries to Local Governments.

F.—In the case of the Railway Department (subject to any limits fixed in Departmental orders):—

1. All instruments relating to purchase, supply and conveyance or carriage of materials, stores, machinery, etc. 2. All instruments relating to the execution of works of all kinds connected with railways, open or under construction. 3. Security bonds for the due performance and completion of works.	By Managers, Deputy and Assistant Managers, Engineers-in-Chief, Superintendents of Works, and Executive Engineers in the Railway Department.
4. Security bonds for the due performance of their duties by Government servants whom the officers specified have powers to appoint.	By Managers, Deputy and Assistant Managers, Engineers-in-Chief, Superintendents of Works, Executive Engineers in the Railway Department, Locomotive Superintendents, Carriage and Wagon Superintendents, Traffic Superintendents, Examiners of Accounts, and Chief Store-keepers.
5. Leases of houses, land or other immoveable property, provided that the rent reserved shall not exceed Rs. 5,000 a month. (Leases of small branch lines of railway are excluded from this clause.) All instruments connected with the reconveyance of property given as security. 7. Instruments connected with the collection or farming of tolls at bridges or ferries or other means of communication provided by the railway.	By Managers, Deputy and Assistant Managers, Engineers-in-Chief, Superintendents of Works and Executive Engineers in the Railway Department.
8. Contracts connected with the loading and unloading of goods and for other matters necessary for, or incidental to, traffic working.	By Managers and Traffic Superintendents of State Railways.
9. Contracts connected with the sale of scrap ashes and other surplus material.	By Managers and Deputy Managers of State Railways.
10. Agreements for the interchange of traffic with other State Railways. 11. Agreements with private or guaranteed Railway Companies, Tramway Companies and other carrying companies.	By Managers of State Railways.
12. Agreements with covenanted engine-drivers on the expiry of the term of their original covenants.	By Managers and Locomotive Superintendents of State Railways.
13. Agreements with monthly non-pensionable European, Eurasian, and Native employés on State Railways, defining the terms and conditions of service to be entered into on entering the service of Government.	By Managers, Deputy and Assistant Managers, Engineers-in-Chief, Locomotive Superintendents, Carriage and Wagon Superintendents, Traffic Superintendents, Examiners of Accounts, Chief Store-keepers; and Executive Engineers in charge of Divisions, District Locomotive Superintendents, District Carriage and Wagon Superintendents, and District Traffic Superintendents in the Railway Department.

G.—In the case of the Telegraph Department :—

1. Contracts and other instruments for works and stores.	By the Director-Generel of Telegraphs, the Director of Construction, the Directors of Circles, Superintendents and Assistant Superintendents of Telegraphs, subject to the limit fixed by Departmental orders.
2. Leases of houses to the Telegraph Department, containing, where necessary, an agreement making the Government liable for loss by fire caused by the act of the lessee; provided that the rent reserved in such lease shall not exceed Rs. 300 a month.	By the Director-General of Telegraphs.
3. Contracts and other instruments for securities deposited by Telegraph subordinates.	By Superintendents and Assistant Superintendents of Telegraphs, subject to the limit fixed by Departmental orders.

H.—In the case of the Post Office :—

1. Contracts and other instruments relating to the business of the Post Office.	By the Director-General of the Post Office.
2. Contracts and other instruments relating to the business of the Post Office managed by a Post Master General or Inspector-General of Railway Mail Service and Sorting.	By such Post Master General or Inspector-General of Railway Mail Service and Sorting, subject to any limit prescribed by Departmental orders.

I.—In the case of the Civil Medical Department under the Government of India :—

Contracts or other instruments relating to the Medical Department.	By the Director-General of the Indian Medical Service.

J.—In the case of the Forest Department :—

Contracts and other instruments in matters connected with the administration and working of forests and with the business of the Forest Department generally	By Conservators, Collectors of Districts, Deputy, Assistant, Extra Deputy, and Extra Assistant Conservators of Forests to such extent and within such limits as the Local Government may prescribe by notification in the Official Gazette.

K.—In the case of the Printing, Stationery and Stamps Department :—

Contracts for the supply of stationery (and bonds of employés when it is necessary that they should be executed by the obligee), &c., to the Controller of Printing, Stationery and Stamps, India.	By the Controller of Printing, Stationery and Stamps, India.

L.—In the case of all Imperial Departments :—

Contracts and other instruments relating to house building advances, and advances for the purchase of motor-cars.	By Heads of Imperial Departments, other than the Army Department, in respect of which the procedure prescribed in Army Regulations, India, Volume III, shall be observed.

M.—In the territories under the administration of the Government of Madras as regards contracts, &c., not hereinbefore specified :—

1. In the case of the Governor in Council—

All deeds and instruments relating to any matters other than those specified in heads 2 to 8.	By a Secretary to Government.
2. (a) Contracts and other instruments for the purchase, supply, conveyance or carriage of building materials, stores, machinery, &c., and the provision of labour for building or other work, and such like engagements.	By Collectors of Districts, Sub-Collectors, Assistant and Deputy Collectors in charge of Divisions; Inspectors-General, Deputy Inspectors-General, and Superintendents of Police; Commissioner of Police, Madras; Inspector-General of Prisons; Inspector-General of Registration; Superintendent of Stationery; and the Presidency Port Officer and Port Officers.
(b) Contracts and other instruments regulating the sale of articles manufactured in jails.	By the Inspector-General of Prisons, Madras.
3. Exploring and prospecting licenses and all mining and other leases, whether as lessor or lessee, not herein otherwise provided for.	By Collectors of Districts.

4. Contracts and other instruments relating to the Medical Department.	By the Surgeon-General with the Government of Madras.
5. (a) Leases of whole Excise Salt Factories.	By the Commissioner of Salt, Abkari, and Separate Revenue.
(b) All contracts, deeds or other agreements relating to the execution of salt works or the purchase, sale or transport of salt, the supply of labour, stores, building materials, etc., and any other like engagements relating to the salt revenue or the business of the Salt Department.	By the Commissioner of Salt, Abkari, and Separate Revenue.
(c) All contracts, deeds or other agreements relating to the execution of salt works or the purchase, sale or transport of salt, the supply of labour, stores, building materials, etc., and any other like engagements relating to the salt revenue, or the business of the Salt Department within their respective jurisdictions and within the limit of value of Rs. 5,000; and contracts or agreements for the import of foreign salt on credit, for payment of the duty leviable thereon, or contracts or agreements for the clearance of salt under the credit system on the deposit of securities within the limit of value of Rs. 50,000. (d) Leases of land for salt manufacture in Government Salt Factories. (e) Leases of land of salt manufacture in Excise Salt Factories.	By Deputy Commissioners of the Salt, Abkari, and Customs Department.
(f) Contracts or agreements for the import of foreign salts on credit, for payment of the duty leviable thereon, or contracts or agreements for the clearance of salt under the credit system wholesale on the deposit of securities within the limit of value of Rs. 10,000.	By Assistant Commissioners of the Salt, Abkari, and Customs Department.
(g) Inam title-deeds	By the Inam Commissioner.
6. Contracts and other instruments relating to matters connected with the Educational Department.	By the Director of Public Instruction.
7. Security bonds for the due performance of their duties by Government servants whom the Presidency Port Officer, Madras, has power to appoint.	By the Presidency Port Officer, Madras.
8. Contracts and other instruments relating to house building advances.	By the authorities granting the advances.

N.—In the territories under the administration of the Government of Bombay, as regards contracts, etc., not hereinbefore specified :—

1. All deeds and instruments relating to matters, other than those specified in heads 2 to 15 and 17 to 24.	By a Secretary to Government.
2. Contracts for the supply of articles of dead stock or petty supplies.	By the Government officer, for whose use such articles or petty supplies are required, or by any Government officer to whom such officer is subordinate.
3. Contracts for the sale of useless unclaimed or confiscated articles.	By the Government officer in whose office such useless articles are, or by any Government officer to whom such officer is subordinate.
4. Contracts for lease or sale of Government buildings.	By the chief local officer of the Department in whose charge such buildings are.
5. Contracts for hire or purchase of buildings for Government.	By the chief local officer of the Department for which such buildings are to be hired or purchased.
6. Contracts and other instruments for the purchase, supply, and conveyance or carriage of building materials, stores, machinery, etc., and contracts for petty constructions and repairs, and for public works of every description which are not executed by the Public Works Department.	By the chief local officer of the Department by which such works are to be executed, or by an Assistant or Deputy Collector if the work is executed by the Revenue or Salt Department.

7. Sanads—	
(a) continuing or confirming exemption from payment of land revenue, or (b) continuing or confirming any pension or grant of money or land revenue, or (c) confirming watan-service—commutation settlements, or (d) guaranteeing cash payments in lieu of abkari or other rights, or (e) granted under section 133 of the Bombay Land Revenue Code, 1879, or any other law for the time being in force relating to the survey of towns and cities.	By Collectors of Districts.
(f) for the planting of trees in open places in villages.	By the Assistant or Deputy Collector.
8. Deeds, contracts, and instruments relating to land, or to any benefit arising out of land, or to water, or to any benefit arising out of water or to land revenue.	In the City of Bombay by the Collector of Bombay; elsewhere, by Collectors of Districts; or in any business connected with the duties of the Taluqdari Settlement Officer, by that officer.
9. Contracts for the farm of tolls, taxes, duties, cesses or revenues of any description.	By Collectors of Districts, or by the heads of the Departments by which such tolls, duties, cesses or revenues are levied.
10. Contracts for the erection or repairs of boundary marks.	By Survey Officers or Revenue Officers not lower in rank than Circle Inspectors.
11. Contracts for the supply of stationery, etc., to the Superintendent of Stationery.	By the Superintendent of Stationery, Bombay.
12. Contracts for the supply of articles of any description for the use of jails or regarding the sale of articles manufactured in jails.	By the Inspector-General of Prisons, Bombay, or by Superintendents of Jails.
13. Security bonds for the due performance of their duties by Government servants.	By the officers who are empowered to appoint such Government servants.
14. Contracts for the supply of articles procured in the local markets for the police.	By the Commissioner of Police in the City of Bombay; and elsewhere, by the Inspector-General of Police, Deputy Inspector-General of Police, or by District Superintendent of Police.
15. Contracts for the supply of funerals in the case of deceased pauper Christians.	By the Commissioner of Police, Bombay.
16. Deeds, contracts, and instruments relating to salt revenue or to the business of the Salt Department or to the land, buildings or other property in the control of that Department, other than contracts of the nature specified above in articles 1 to 6.	In Sind, by the Commissioner in Sind or by the head of the Salt Department in that Province, or by Collectors of Districts; and elsewhere, by a Secretary to Government, or by the Collector of Salt Revenue, Bombay.
17. Contracts entered into with normal scholars and apprentices in Engineering or Industrial Colleges, etc.	By Educational Inspectors or by the Principals of such Colleges.
Contracts entered into by Agricultural Scholars from Sind.	By the Commissioner in Sind.
Contracts entered into by Agricultural Scholars who get four years' scholarships.	By the Director of Agriculture.
Contracts entered into with students in the Tapedar's Training School, Hyderabad.	Superintendent of Land Records and Registration in Sind.
18. Agreements and deeds entered into with managers of Educational Institutions in respect of Government grants-in-aid or in respect of the lease of Government school buildings in the Presidency proper.	By the Director of Public Instruction, Bombay.
19. Contracts for the supply of articles procured in the local markets for hospitals, lunatic asylums, etc.	By the local medical officers in charge of such hospitals, asylums, etc.
Contracts for the supply of articles procured in the local markets for Veterinary Dispensaries, Government Stallions, and the Northcote Cattle Farm, Chharodi.	By the Superintendent, Civil Veterinary Department.
20. Deeds, contracts, and instruments of every description relating to the administration of Aden.	By the Political Resident, Aden.

21. (a) Contracts for the purchase and supply of stores and building materials and for the provision of labour, also indentures to bind apprentices at the Mint for a definite term. (b) Contracts for the sale of worn out stores and ashes and other waste products. (c) Agreements with temporary establishments.	By the Mint Master, Bombay.
22. Deeds, contracts and instruments of every description not included in any of the foregoing articles.	In Sind, by the Commissioner in Sind.
23. Agreements and deeds entered into with District Local Boards or Municipalities in respect of building grants made by Government to Veterinary Dispensaries.	By the Director of Agriculture, Bombay, in the Presidency proper, and in Sind by the Commissioner in Sind.
24. Contracts and other instruments relating to house building advances.	By the authorities granting the advances.

O.—In the territories under the administration of the Government of Bengal, as regards contracts, etc., not hereinbefore specified :—

1. In the case of the Governor in Council— All deeds and instruments relating to matters other than those specified in heads 2 to 9.	By a Secretary to Government.
2. Contracts for supply of clothing, etc., for the police.	By the Commissioner of Police, Calcutta, and the Inspector-General of Police, Bengal.
3. Contracts for the supply of articles, etc., for the use of jails, or regarding the sale of articles manufactured in jails.	By the Inspector-General of Prisons, Bengal.
4. Contracts for the supply of articles, and for repairing, cutting, etc., roads and canals.	By Collectors of Districts and Deputy Commissioners.
5. Contracts for the supply of articles procured in the local markets for hospitals, lunatic asylums, etc.	By the local medical officers in charge of such hospitals, asylums, etc.
6. Contracts and other instruments in matters connected with the lease or sale of land.	By Collectors of Districts and Deputy Commissioners.
7. (a) Contracts for the purchase and supply of stores and building materials and for the provision of labour; also indentures to bind apprentices at the Mint for a definite term. (b) Contracts for the sale of worn out stores and ashes and other waste products. (c) Agreements with temporary establishment. (d) Security bonds for the due performance of their duties by Government servants whom the Mint Masters have power to appoint.	By the Mint Master, Calcutta.
8. Deeds, contracts, and instruments relating to salt revenue.	By the Collectors of Customs, Calcutta and Chittagong, Collectors of Districts, and Deputy Commissioners.
9. Contracts and other instruments relating to house building advances.	By the authorities granting the advances.

P.—In the territories under the administration of the Government of Bihar and Orissa, as regards contracts, etc., not hereinbefore specified :—

1. In the case of the Lieutenant-Governor in Council— All deeds and instruments relating to matters, other than those specified in heads 2 to 9.	By a Secretary to Government.
2. Contracts and other instruments in matters connected with the lease of land :—	
(a) If the lease be permanent	By Collectors and Deputy Commissioners.
(b) If otherwise	By Settlement Officers, Collectors, Deputy Commissioners, and Sub-divisional Officers.
3. (a) Contracts and other instruments in matters connected with the hire or purchase of land or buildings or with the sale of Government land or with the lease or sale of Government buildings, or with prospecting and exploring licenses and mining leases.	By Collectors and Deputy Commissioners.

(*b*) Contracts, instruments, and engagements specified above when the value or amount of such contract, instrument or engagement does not exceed Rs. 500.	By Assistant Commissioners, Joint Magistrates, and Sub-divisional Officers.
4. Contracts and other instrument not included in article 3 in matters connected with the lease of ferries, fisheries, and other benefits arising out of land.	By Collectors, Deputy Commissioners, and Sub-divisional Officers.
5. Contracts for the supply of articles required for the use of any Department or for the sale of articles produced or manufactured by the Department, and other instruments connected with the administration of the Department.	By the Head of the Department, except contracts for the sale of jail produce which may be executed either by the Inspector-General of Prisons or by the Superintendent of the Jail concerned.
6. Contracts and other instruments not included in article 3 for the sale, purchase, supply, carriage or conveyance of stores and building materials and for the provision of labour and for the execution of public works not executed by the Public Works Department and such like engagements.	By Collectors and Deputy Commissioners.
7. Contracts for the supply of articles procured in the local markets for hospitals, lunatic asylums, etc.	By the local medical officers in charge of such hospitals, asylums, etc.
8. Deeds, contracts, and instruments relating to Salt Revenue.	By Collectors of Customs, Collectors of districts and Deputy Commissioners.
9. Contracts and other instruments relating to house building advances.	By the authorities granting the advances.

Q.—In the territories under the administration of the Government of the United Provinces of Agra and Oudh, as regards contracts, etc., not hereinbefore specified :—

1. In the case of the Lieutenant-Governor— All deeds and instruments relating to matters other than those specified in heads 2 to 5.	By a Secretary to Government.
2. (*a*) Contracts and other instruments for sums not exceeding Rs. 2,000, except those which affect real estate.	By all Heads of Departments.
2. (*b*) conveyance deeds for the purchase of land which Conservators of Forests are authorised to buy for forest purposes up to a cost of Rs. 2,000.	By Conservators of Forests.
3. Contracts and other instruments at present executed by Collectors, Deputy Commissioners, and Deputy Collectors.	By Collectors and Deputy Commissioners.
4. Contracts and other instruments for a sum not exceeding Rs. 500, and not affecting real estate.	By subordinate officers appointed by Heads of Departments with the approval of the local Government.
5. Contracts and other instruments relating to house building advances.	By the authorities granting the advances.

R—In the territories under the administration of the Government of the Punjab, as regards contracts, etc., not hereinbefore specified :—

1. In the case of the Lieutenant-Governor— All deeds and instruments relating to matters other than those specfied in heads 2 to 4 and 6 to 8.	By a Secretary to Government.
2. Contracts and other instruments connected with ferries, dues for grazing cattle on places other than canal banks, fisheries, *nazul* buildings, spontaneous products and minerals, execution of minor works not under the Public Works Department, and the supply of necessaries for depôts.	By Deputy Commissioners.
3. Contracts and other instruments in matters connected with the lease or sale of land.	
4. Contracts relating to any matter falling within their ordinary jurisdiction.	
5. (*a*) Instruments of free grant of proprietary right in land.	By a Secretary to Government and by Deputy Commissioners.
(*b*) Instruments whereby property is mortgaged to the Government as security for a loan.	
(*c*) Instruments of exchange of land.	

6. Contracts for the supply of clothing, etc., for the police.	By the Inspector-General of Police.
7. Contracts for the supply of articles for use in jails, or regarding the sale of articles manufactured in jails.	By the Inspector-General of Prisons.
8. Contracts and other instruments relating to house building advances.	By the authorities granting the advances.

S.—In the territories under the administration of the Government of Burma, as regards contracts, etc., not hereinbefore specified :—

1. Contracts, etc., relating to matters connected with their Departments other than contracts the execution of which has been specially reserved for the local Government.	By all Heads of Departments and such of their subordinates as have been empowered by the local Government in this behalf to such extent and within such limits as may have been prescribed by notification in the Burma Gazette or otherwise.
2. Contracts, etc., relating to any matter falling within their jurisdiction in which they are authorized to pass orders which are final subject to appeal and revision.	By Deputy Commissioners, Sub-divisional Officers, and Township Officers, Collectors and Assistant Collectors.
3. In the case of other instruments	By a Secretary to Government.

T.—In the territories under the administration of the Chief Commissioner of the Central Provinces, as regards contracts, etc., not hereinbefore specified :—

1. In the case of the Chief Commissioner—	
All deeds and instruments relating to matters other than those specified in heads 2 to 8.	By a Secretary to the Chief Commissioner.
2. Contracts and other instruments in matters connected with the lease or sale of land.	By Deputy Commissioners.
3. Contracts relating to any matter falling within their ordinary jurisdiction.	By Deputy Commissioners.
4. Contracts for the supply of kit, accoutrements and other articles for the Police Department.	By the Inspector-General of Police.
5. Contracts and other instruments for the purchase, supply, conveyance or carriage of building materials and the provision of labour for execution of minor works not under the Public Works Department.	By the District Superintendent of Police.
6. Security bonds for the due performance and completion of minor works.	By the District Superintendent of Police.
7. Contracts and other instruments relating to matters connected with their respective Departments.	By all Heads of Departments.
8. Contracts and other instruments relating to house building advances.	By the authorities granting the advances.

U.—In the territories under the administration of the Chief Commissioner of Assam, as regards contracts, etc., not hereinbefore specified :—

1. In the case of the Chief Commissioner—	
All needs and instruments relating to matters other than those specified in heads 2 to 9.	By a Secretary to the Chief Commissioner.
2. Contracts and other instruments in matters connected with the lease of land—	
(*a*) If the lease be permanent	By Deputy Commissioners.
(*b*) If otherwise	By Settlement Officers, Deputy Commissioners, and Sub-divisional Officers.
3. (*a*) Contracts and other instruments in matters connected with the hire or purchase of land or buildings or with the sale of Government land or with the lease or sale of Government buildings, or with prospecting and exploring licenses and mining leases.	By Deputy Commissioners.
(*b*) Contracts, instruments, and engagements specified above when the value or amount of such contract, instrument or engagement does not exceed Rs. 500.	By Assistant Commissioners and Sub-divisional Officers.
4. Contracts and other instruments not included in article 2 in matters connected with the lease of ferries, fisheries, and other benefits arising out of land.	By Deputy Commissioners and Sub-divisional Officers.

5. Contracts for the supply of articles required for the use of any Department or for the sale of articles produced or manufactured by the Department, and other instruments connected with the administration of the Department.	By the Head of the Department.
6. Contracts and other instruments not included in article 3 for the sale, purchase, supply, carriage or conveyance of stores and building materials and for the provision of labour and for the execution of Public Works not executed by the Public Works Department and such like engagements.	By Deputy Commissioners.
7. Contracts for the supply of articles procured in the local markets for hospitals, lunatic asylums, etc.	By the local medical officers in charge of such hospitals, asylums, etc.
8. Deeds, contracts, and instruments relating to Salt Revenue.	By Deputy Commissioners.
9. Contracts and other instruments relating to house building advances.	By the authorities granting the advances.

V.—In the case of the Chief Commissioner of Coorg :—

As regards contracts, etc., not hereinbefore specified.	By his Secretary.

W.—In the case of the territories administered by the Agent to the Governor General and Chief Commissioner, North-West Frontier Province, as regards contracts, etc., not hereinbefore specified :—

1. All deeds and instruments relating to matters other than those specified in heads 2 to 7.	By the Secretary to the Agent to the Governor General and Chief Commissioner.
2. Contracts and other instruments for the supply of stores, clothing, etc.	By Heads of Departments concerned.
3. Contracts and other instruments relating to matters connected with their respective Departments.	By all Heads of Departments.
4. Contracts and other instruments connected with the lease or sale of land, or whereby land is mortgaged to Government in security for a loan; and contracts and instruments relating to any matter falling within their ordinary jurisdiction, including the execution of civil works not under the Public Work Department.	By Political Agents and Deputy Commissioners.
5. Sanads—	
(a) containing or conferring exemption from payment of land revenue.	By the Revenue Commissioner.
(b) containing or confirming any pension or grant of money connected with the land revenue.	By the Revenue Commissioner.
(c) contracts and instruments relating to any matter falling within the jurisdiction of the Settlement Department.	By the Revenue Commissioner.
6. Agreements for the recovery of advances under the Land Improvement Loans Act, XIX of 1883, and the Agriculturists' Loans Act, XII of 1884.	By District Officers.
7. Contracts and other instruments relating to house building advances.	By the authorities granting the advances.

X.—In the territories under the administration of the Chief Commissioner of Delhi as regards contracts, etc., not hereinbefore specified :—

1. In the case of the Chief Commissioner—

All deeds and instruments relating to matters other than those specified in heads 2 to 8.	By the Personal Assistant to Chief Commissioner.

2. Contracts and other instruments connected with ferries dues for grazing cattle on places other than canal banks, fisheries *nazul* buildings, spontaneous products and minerals, execution of minor works not under the Public Works Department, and the supply of necessaries for depôts. 3. Contracts and other instruments in matters connected with the lease or sale of land. 4. Contracts relating to any matter falling within his ordinary jurisdiction. 5. (*a*) Instruments of free grant of proprietary right in land. (*b*) Instruments whereby property is mortgaged to the Government as security for a loan. (*c*) Instruments of exchange of land.	By the Deputy Commissioner.
6. Contract for the supply of clothing, etc., for the police.	By the Chief Commissioner.
7. Contracts for the supply of articles for use in jails, or regarding the sale of articles manufactured in jails.	By the Inspector-General of Prisons Punjab.
8. Contracts and other instruments relating to house building advances.	By the authorities granting the advances.

Y.—In British Baluchistan and the territories administered by the Agent to the Governor General in Baluchistan as such Agent, as regards contracts, etc., not hereinbefore specified :—

1. All deeds and instruments relating to matters other than those specified in heads 2 to 6.	By the First Assistant to the Agent to the Governor General and Chief Commissioner.
2. Contracts and other instruments for the supply of stores, clothing, etc.	By Heads of Departments concerned.
3. Contracts and other instruments relating to matter connected with their respective Departments (including mining leases).	By all Heads of Departments.
4. Contracts and other instruments connected with the lease or sale of land, other than mining leases, or whereby land is mortgaged to Government in security for a loan, and contracts and instruments relating to any matter falling within their ordinary jurisdiction, including the execution of civil works not under the Public Works Department.	By Political Agents and Deputy Commissioners.
5. Sanads— (*a*) containing or conferring exemption from payment of land revenue. (*b*) containing or confirming any pension or grant of money connected with the land revenue. (*c*) contracts and instruments relating to any matter falling within the jurisdiction of the Settlement Department.	By the Revenue Commissioner.
6. Contracts and other instruments relating to house building advances.	By the authorities granting the advances.

ORDER.—Ordered that the above Resolution be communicated to all Local Governments and Administrations* and the several Departments† of the Government of India for information and guidance (and for communication to the Agent to the Governor General, Baluchistan); and that it may be also published in the Supplement to the *Gazette of India*.

* Madras. Bombay. Bengal. Bihar and Orissa. United Provinces. Punjab. Burma. Central Provinces. Assam. Coorg. North-West Frontier Province. Delhi.

† Foreign. Army. Revenue and Agriculture. Public Works. Commerce and Industry. Railway. Legislative. Finance. Finance (Military Finance). Education.

( ) To Foreign Department only.

H. WHEELER,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED JUNE 14, 1913.

HOME DEPARTMENT.

NOTIFICATION.

MEDICAL.

The 7th June 1913.

No. 383.—Lieutenant-Colonel E. V. Hugo, M.D., F.R.C.S., I.M.S., Professor of Surgery, Medical College, Lahore, is granted furlough for one year, with effect from the 1st October 1913.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

POST OFFICE.

Simla, the 14th June 1913.

No. 4534-41.—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), as amended by the Indian Post Office (Amendment) Act, 1912 (III of 1912), the Governor-General in Council is pleased to direct that the following amendment shall be made in the rules issued with the notification of the Government of India in the Department of Commerce and Industry, No. 2883-45, dated the 26th April 1913, namely:—

In rule 184 for the words "such articles found" the following words shall be substituted, namely:—"postal articles reasonably believed or found to contain such goods."

J. F. GRUNING,

Offg. Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 13th June 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

1st Battalion, North-Western Railway Volunteer Rifles.

No. 521.—Major Hugh Alan Cameron (R.E.) resigns his commission. Dated the 22nd April 1913.

CANTONMENTS.

REGULATIONS.

No. 527.—In exercise of the powers conferred by section 24 of the Cantonments Act, 1910 (XV of 1910), the Governor-General in Council is pleased to amend the Cantonment Code, 1912, to the extent set forth below:—

After section 141 the following section shall be inserted:—

"141-A. No person shall cross any unenclosed space under the control of the cantonment authority upon which a notice prohibiting thoroughfare is displayed by the cantonment authority."

No. 528.—In exercise of the powers conferred by section 24 of the Cantonment Act, 1910 (XV of 1910), the Governor-General in Council is pleased to amend the Cantonment Code, 1912, to the extent set forth below:—

In Schedule IV, Part B, after—

"170. Bathing or washing at public well or spring so as to pollute the water", the following shall be inserted—

"171. Bathing or washing at any public place which has been prohibited."

No. 529.—The following draft of amendments which it is proposed to make in exercise of the powers conferred by section 24 of the Cantonments Act, 1910 (XV of 1910), is published as required by section 25, sub-section (i) of the said Act, for the information of persons likely to be affected thereby, and notice is given that the draft will be taken into consideration by the Governor-General in Council on or after the 14th July 1913.

Any objections or suggestions, which may be received from any person with respect to the draft before the date fixed aforesaid, will be considered by the Governor-General in Council.

Draft amendments.

In the Cantonment Code, 1912, which was published with the notification of the Government of India in the Army Department No. 192, dated the 1st March 1912, the following modifications shall be made, namely:—

In Schedule VI, Annexure to Form "A", Condition IX (iv) shall be omitted.

In Schedule VI, Form "C" at the foot of page 203 the following note shall be inserted:—

"*Note.*—Condition VII (1) and (2), and Condition IX (1) and (2), first and second clauses.

These conditions provide for alternative leases. In the first the buildings on the site become the property of the Local Government on the termination of the period for which the lease is granted. In the second alternative the lease is renewable at the discretion of the Officer Commanding the Division, but when renewal is refused the lessee must deliver up the site and all buildings and erections thereon receiving compensation for such buildings and erections as have been made under proper authority. In the first alternative, Conditions VII (2) and IX (2) first and second clauses will be struck out, in the second alternative they will be retained and IX (1) struck out. In the latter form renewals can be granted by the Officer Commanding the Division from time to time as often as may be considered desirable since the second and subsequent leases may, if the Officer Commanding the Division thinks fit, contain the Conditions VII (2) and IX (2) first and second clauses."

In Condition IX (2) of Form "C" on page 204, against (iv) of the fourth clause the following marginal note shall be inserted:—

"To be struck out if Conditions VII (2) and IX (2), first and second clauses, are retained."

In Schedule VI, Form "D" at the foot of page 210 the following note shall be inserted:—

"*Note.*—Conditions XXV (1) and (2), and Conditions XXVII (1) and (2), first and second clauses.

These conditions provide for alternative leases. In the first the buildings on the site become the property of the Local Government on the termination of the period for which the lease is granted. In the second alternative the lease is renewable at the discretion of the Officer Commanding the Division, but when renewal is refused the lessee must deliver up the site and all buildings and erections thereon receiving compensation for such buildings and erections as have been made under proper authority. In the first alternative Conditions XXV (2) and XXVII (2) first and second clauses will be struck out, in the second alternative they will be retained and XXVII (1) struck out. In the latter form renewals can be granted by the Officer Commanding the Division from time to time as often as may be considered desirable since the second and subsequent leases may, if the Officer Commanding the Division thinks fit, contain the Conditions XXV (2) and XXVII (2) first and second clauses."

In Condition XXVII (2) of Form "D" on page 211, against (iv) of the fourth clause, the following marginal note shall be inserted:—

"To be struck out if Conditions XXV (2) and XXVII (2), first and second clauses are retained."

No. 530.—The following draft of an amendment which it is proposed to make in exercise of the powers conferred by section 24 of the Cantonments Act, 1910 (XV of 1910), is published as required by section 25, sub-section (1), of the said Act, for the information of persons likely to be affected thereby, and notice is given that the draft will be taken into consideration by the Governor-General in Council on or after the 14th July 1913.

Any objection or suggestion, which may be received from any person with respect to the draft before the date fixed aforesaid, will be considered by the Governor-General in Council.

Draft amendment.

In the Cantonment Code, 1912, which was published with the Notification of the Government of India in the Army Department No. 192, dated the 1st March 1912, the following amendment shall be made, namely :—

In Schedule VI, Lease Form "C", in the 14th line for the words "Cantonment Authority of" the words "Officer Commanding Division" shall be substituted.

W. R. BIRDWOOD, *Major-General,*

Secretary to the Government of India.

Punjab Government Press, Lahore—20-6-13—633—850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JUNE 27, 1913.

PART II.

Republications from the "Gazette of India."

Nil.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JULY 4, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JUNE, 21, 1913.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 19th June, 1913.

No. 46.—Whereas the validity of the election of the Hon'ble Sirdar Daljit Singh of Jullundur, by the non-official members of the Legislative Council of the Lieutenant-Governor of the Punjab, to be an Additional Member of the Legislative Council of the Governor General, has been brought in question under Regulation XVI of the Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor General;

The Governor General in Council, having made inquiry into the matter, is pleased hereby to declare that the said Hon'ble Sirdar Daljit Singh of Jullundur was duly elected.

W. H. VINCENT,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.

JUDICIAL.

Simla, the 12th June, 1913.

No. 789.--Whereas the Government of India have acceded to a Convention with respect to the international circulation of motor cars concluded at Paris on the eleventh day of October, one thousand nine hundred and nine;

In exercise of the powers conferred by section 3 of the Motor Vehicles International Circulation Act, 1912 (XII of 1912), the Governor General in Council is pleased to make the following rules :—

PART I.

Preliminary.

1. These rules may be called the Motor Vehicles International Circulation Rules, 1913. **Short title.**

Definitions.

2. In these rules unless there is anything repugnant in the subject or context—

(i) "The Convention" means the Convention with respect to the international circulation of motor cars concluded at Paris on the 11th day of October, 1909.

(ii) "International Travelling Pass" means an international road-travel certificate issued under Article 3 of the Convention.

PART II.

Motor vehicles temporarily leaving British India.

Constitution and duties of the competent authority under the Convention.

3. For the purposes of the Convention, the Commissioner of Police in Calcutta, Bombay, Madras and Rangoon, and elsewhere the District Magistrate, shall be the competent authority, and is hereby empowered to carry out, in accordance with and subject to the provisions of these rules, the following duties, that is to say :—

(a) when the owner of any motor vehicle desires to avail himself of the facilities given by the Convention during travel in any of the Contracting States mentioned in Appendix A to the First Schedule—to examine the vehicle, and, if satisfied, after such examination,—

(i) in the case of a motor car, that the car is suitable, or is of a type which has been declared by the Government of India to be suitable, for use on the highway outside India, and that it fulfils the conditions specified in paragraph 2 of the First Schedule, or

(ii) in the case of a motor-cycle, that the said conditions, as modified by paragraph 5 of that Schedule, are fulfilled ;

to issue a certificate of fitness, in Form A in the Second Schedule, or in a form to the like effect :

(b) to examine any person submitting himself for examination, and if, upon examination, he is found to be competent, to issue to him a Driver's Certificate of Competence in Form B in the Second Schedule, or in a form to the like effect :

Provided that a Certificate of Competence shall not be granted to any person who is under 18 years of age ;

(c) subject to the conditions imposed by rule 4, to issue to the owners of motor vehicles, on behalf of the Local Government, an International Travelling Pass, in Form C in the Second Schedule over the signature of a Secretary to the Local Government, or in a form to the like effect.

Conditions of issue of International Travelling Pass.

4. (1) The following conditions shall be fulfilled before an International Travelling Pass is issued :—

(a) every motor vehicle for which an International Travelling Pass is issued shall be a motor vehicle in respect of which a Certificate of Fitness shall have been issued in pursuance of rule 3 ; and

(b) particulars as to the driver or drivers of the motor vehicle shall be specified on the International Travelling Pass in the place provided for the purpose, and every such driver shall possess a Certificate of Competence issued in pursuance of rule 3.

Photograph to be affixed to Driver's certificate.

5. Every Driver's Certificate of Competence shall have the photograph of the holder affixed thereon, with the date on which the photograph was taken; and such photographs must not be more than one year old at the time of issuing the certificate.

Certificate or pass to be in English.

6. Every such certificate or pass shall be in English.

Validity of certificate or pass.

7. Every Certificate of Fitness or of Competence, and every International Travelling Pass issued under the foregoing provisions shall be valid for a period of one year from the date of issue.

Certificate or pass to be registered.

8. The issue of every Certificate of Fitness or of Competence, and of every International Travelling Pass shall be entered in a register to be maintained in the office of the Commissioner of Police, or the District Magistrate, as the case may be, in such form as he may consider suitable.

9. The issue of a certificate or pass under these rules shall be subject to the condition of the prepayment of the following fees, namely :—

Fees payable on certificate or pass.

				Rs.
Certificate of Fitness of motor-car	...	...	...	5
Driver's Certificate of Competence	...	...	...	5
International Travelling Pass	...	...	...	5

Provided that in the case of a motor-cycle, one-half only of the foregoing fees shall be chargeable.

10. A second International Travelling Pass shall not be necessary for any motor vehicle about to leave British India, if the owner of the vehicle already holds such a pass and the term thereof has not expired :

Second pass not required if first is current.

Provided that, in such a case, the original certificate shall be endorsed or countersigned by the Chief Customs Officer at the port of re-embarkation.

PART III.

Motor cars arriving temporarily in British India.

11. Any person in charge of a motor vehicle landed at a port in British India, holding in respect of such vehicle an International Travelling Pass may, on production of such pass, apply to the Chief Customs Officer of the port for the endorsement of his pass and for the registration of the motor vehicle covered thereby.

Application for endorsement of pass and registration of vehicle.

12. On receiving such an application, the Chief Customs Officer shall satisfy himself that the pass was issued by competent authority ; that the period of its validity has not expired, and that the vehicle corresponds with the vehicle described in the pass and has affixed to it the plates required to be carried by article 4 of the Convention, and that the driver or drivers (if any) are the person or persons whose names appear on the pass.

Duties of Chief Customs Officer on receipt of application.

13. If the Chief Customs Officer is satisfied that the requirements of rule 12 have been complied with, he shall endorse on the part of the pass set aside for the purpose the name of the port and shall sign, seal and date the endorsement, and shall enter in a register to be maintained by him the following particulars :—

Endorsement of pass and registration of vehicle.

(*a*) Number.

(*b*) Place of issue of international travelling pass.

(*c*) Date of issue of pass.

(*d*) Name of authority or Association which issued pass.

(*e*) Full name and Home address of owner of car.

(*f*) Description of vehicle (*e.g.*, motor-car, motor-cycle, etc.).

(*g*) Shape and colour of body of vehicle.

(*h*) Letters and numbers on identification plates.

(*i*) Date of registration.

14. The Chief Customs Officer shall forward without delay a copy of every entry made in his register in accordance with rule 13 in case of motor vehicles landed at Calcutta, Bombay, Madras and Rangoon to the Commissioner of Police, and in the case of motor vehicles landed elsewhere, to the District Magistrate.

Copy of entry in register to be sent to local executive authorities.

15. The endorsement of an international travelling pass and the registration of the motor vehicle covered thereby in accordance with these rules shall, during the validity of such pass, be deemed to be in compliance with the conditions subject to which the motor vehicle may be possessed, used and driven in British India by the persons respectively referred to in such pass.

Effect of endorsement and registration.

16. In the case of a motor vehicle covered by an international travelling pass entering a district of British India by land, the application referred to in rule 11 shall be made to the District Magistrate of that district, and these rules other than rule 14 shall apply as if such District Magistrate were substituted for the Chief Customs Officer.

Application of rules to motor vehicle entering British India by land.

17. The owner of a motor vehicle which has been registered in accordance with the foregoing rules shall, on the departure of the motor vehicle from any port in British India for a place outside British India, cause the pass in respect of such vehicle to be produced before the Chief Customs Officer at that port, who shall endorse the name of the port and shall sign, seal and date the endorsement, and enter in a register to be maintained by him the particulars specified in rule 13.

Production of pass before Chief Customs Officer when motor vehicle leaves for a place outside British India.

FIRST SCHEDULE.

Conditions to be fulfilled by motor-cars in order to be allowed to be driven on the highway.

1. Every motor-car, in order to be allowed to be driven on the highway outside India, must either—

(*a*) have been recognised as suitable for use on the highway, after an examination before the competent authority, or

(*b*) belong to a type approved by the Government of India.

2. The examination must be directed specially to the following points :—

(1) the machinery must be such as can be trusted to work efficiently, and must be so designed as to prevent, as far as possible, all danger of fire or explosion, as not to frighten by its noise any animals, whether ridden or driven, and as not to give rise to any other cause of danger to traffic or seriously to inconvenience by the emission of smoke or vapour any persons using the road ;

(2) the motor-car must be provided with the following :—

(*a*) a strong steering apparatus which will allow the car to be turned readily and with certainty ;

(*b*) two brakes each independent of the other and adequate for its purpose one at least of these brakes must be capable of acting rapidly and directly upon the wheels or upon brakedrums immoveably fixed thereto ;

(*c*) a mechanism which is capable of preventing, even on steep gradients any backward movement, if one of the brakes is not of itself sufficient for the purpose ;

(3) Every motor-car whose weight unladen exceeds 350 kilogrammes must be so constructed that the driver can, from his seat, reverse the movement of the car by means of the driving power ;

(4) All the driving and steering apparatus must be so arranged that the driver can manipulate it with certainty, and at the same time have a clear view of the road.

(5) Every motor-car must be provided with plates showing the name of the manufacturer of the chassis and the manufacturer's number, the horse-power of the engine or the number and bore of its cylinders, and also the weight of the car unladen. It should also be provided with a horn and carry not less than two lamps in front and one behind so arranged as to throw light on the number of the car.

Conditions to be fulfilled by drivers of motor-cars.

3. (1) The driver of a motor-car must possess qualifications which provide sufficient guarantee of public safety.

(2) In so far as the driving of motor-cars outside British India is concerned no person may drive a motor-car without having received for that purpose an authorization given by a competent authority after having shown himself on examination to be competent.

(3) Such an authorization must not be given to a person less than 18 years of age.

Arrangement of identification marks on motor-cars.

4. No motor-car shall be allowed to pass from one country into another unless it carries, fixed, in a visible position on the back of the car, in addition to the number plate of its own nationality, a distinctive plate displaying letters indicating that nationality. The size of this plate and the method and size of the lettering are prescribed in Appendix B.

Special provisions with regard to motor-cycles.

5. The foregoing rules in this Schedule apply to motor-tricycles and motor-bicycles, subject to the following modifications :—

(1) the machinery intended to prevent a car from slipping backwards, referred to in clause (2) (*c*) of paragraph 2 of this Schedule, is not required, nor is the reversing gear ;

(2) the distinctive nationality plate of motor-cycles shall measure only 18 centimetres in width and 12 centimetres in height. The letters shall measure centimetres in height, the breadth of each line being 10 millimetres.

(3) Motor-cycles should be provided with a horn and one lamp.

APPENDIX A.

CONTRACTING STATES.

Principal Countries.

Great Britain.	France.	Portugal.
Germany.	Greece.	Roumania.
Austria and Hungary.	Italy.	Russia.
Belgium.	Monaco.	Servia.
Bulgaria.	Montenegro.	Sweden.
Spain.	The Netherlands.	

Colonies and Dependencies.

British India.	Gibraltar.	Southern Nigeria.
Algiers.	Leeward Islands.	Seychelle Islands.
Tunis.	Malta.	Sierra Leone.
Barbados.	Northern Nigeria.	

APPENDIX B.

The distinctive mark of the country of origin shall consist of an oval plate 30 centimetres in width and 18 centimetres in height, bearing one or two letters painted in black upon a white ground. The letters shall be formed of capital letters in Latin characters, and shall measure at least 10 centimetres in height, the breadth of each line being 15 millimetres. The distinctive letters for the different countries shall be the following:—

Germany, D; Austria, A; Belgium, B; Spain, E; United States of America, US; France, F; Great Britain and Ireland, GB; Greece, GR; Hungary, H; Italy, I; Montenegro, MN; Monaco, MC; the Netherlands, NL; Portugal, P; Russia, R; Roumania, RM; Servia, SB; Sweden, S; Switzerland, CH; Bulgaria, BG; British India, BI.

SECOND SCHEDULE.

FORM A.

Number ________

(International Convention of 1909.)

BRITISH INDIA.

CERTIFICATE OF FITNESS OF VEHICLE.

This is to certify that the motor vehicle described hereunder has been examined and found to be fit for use on the highway outside British India:—

Name of owner of vehicle (in full) ________ Name of Manufacturer ________

Owner's home address ________ Type of chassis or engine ________

Index letter and registered number of vehicle ________ Body of car { Shape ________ Colour ________ Number of seat ________ }

Description of vehicle (*e.g.*, motor-car, motor-cycle, etc.) ________ Weight of vehicle unladen (*in kilogrammes*). ________

(Signature.)

Seal.

Date ________

Commissioner of Police, Calcutta. / Madras. / etc.

or

District Magistrate, ________

FORM B.

Number ____________ (International Convention of 1909.)

BRITISH INDIA.

DRIVER'S CERTIFICATE OF COMPETENCE.

This is to certify that A. B.* ____________ of ____________ has been examined and found to be competent to drive a motor vehicle.

(Signature.)

Seal.

Date ____________ Commissioner of Police, Calcutta. / Madras, etc.

or

District Magistrate, ____________

Photograph, and date when taken.

*Insert full name and home address of driver.

FORM C.

Travel by mortor vehicle.

(International Convention of 1909.)

BRITISH INDIA.

International Certificate for temporary foreign travel.

This Certificate is valid in all Contracting States* for one year only from the date of issue.

Issue of Certificate.

Place ____________

Date ____________

(Signature.)

Seal.

Secretary to the Government / Chief Commissioner of ____________

*These States are as follows :—

Principal Countries

Great Britain.
Germany.
Austria and Hungary.
Belgium.
Bulgaria.
Spain.
France.
Greece.
Italy.
Monaco.
Montenegro.
The Netherlands.
Portugal.
Roumania.
Russia.
Servia.
Sweden.

Colonies and Dependencies

British India.
Algiers.
Tunis.
Barbados.
Gibraltar.
Leeward Islands.
Malta.
Northern Nigeria.
Southern Nigeria.
Seychelle Islands.
Sierra Leone.

Particulars regarding the vehicle.

Owner of vehicle ... Surname ____________
Christian name ____________
Address ____________

Description of vehicle (car, tricycle, etc.) ____________

Name of maker ____________

Particulars of model of chassis ____________

Serial number of model, or maker's number, of chassis ____________

Motor ... Number of cylinders ____________
Horse-power of motor, or bore of cylinders ____________

Body ... Shape ____________
Colour ____________
Total number of seats ____________

Weight of vehicle empty (in kilogrammes) ____________

Registration number on identity plates ____________

Particulars regarding the driver or drivers.

Surname __________
Christian name __________
Where born __________
Address __________
Surname __________
Christian name __________
Where born __________
Address __________

PORT BLAIR.

The 13th June 1913.

No. 121.—Lieutenant-Colonel M. W. Douglas, C. I. E., Officiating Superintendent, Port Blair, and Chief Commissioner of the Andaman and Nicobar Islands, is confirmed in that appointment, with effect from the 17th May 1913.

H. WHEELER,
Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 20th June 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

1st Punjab Volunteer Rifles.

No. 545.—Ernest Frederic Neve, M.D., F.R.C.S., to be Surgeon-Lieutenant, to fill an existing vacancy. Dated the 1st may 1913.

Simla Volunteer Rifles

No. 546.—Captain Leslie Sturat Campbell, Supernumerary List, resigns his commission. Dated the 1st April 1913.

CANTONMENTS.

REGULATIONS.

No. 553.—The following draft of certain rules which it is proposed to make in exercise of the powers conferred by section 24 of the Cantoments Act, 1910 (XV of 1910), is published as required by section 25, sub-section (1), of the said Act, for the information of persons likely to be affected thereby, and notice is given that the draft will be taken into consideration by the Governor-General in Council on or after the 21st July 1913.

Any objection or suggestion which may be received from any person with respect to the draft before the date fixed aforesaid, will be considered by the Governor-General in Council.

Draft rules.

In section 67, sub-section (1), of the Cantonment Code, 1912, after clause (*n*), the following clause shall be inserted :—

"(*o*) being the owner or person in charge of any dog or other animal, knows or has reason to believe, that such dog or animal has been bitten by an animal suffering or reasonably suspected to be suffering from rabies and neglects to give immediate information of the fact to the Cantonment Magistrate, or gives information which is false ; or"

The present clauses (*o*), (*p*) and (*q*) shall be re-lettered (*p*), (*q*) and (*r*).

No. 554.—In exercise of the powers conferred by section 23 of the Cantonments Act, 1910 (XV of 1910), and in modification of the notification of the Government of India in the Army Department, No. 192, dated the 1st March 1912, the Governor-General in Council is pleased to direct that after section 68, sub-section (2), of the Cantonment Code, 1912, the following sub-section, being an adaptation of section 110 of the Punjab Municipal Act, 1911 (III of 1911), shall be inserted, namely :—

"(3) Whoever being the owner or person in charge of any dog, neglects to restrain it so that it shall not be at large in any public place without, a muzzle of such pattern as may be prescribed by the cantonment authority, or without being confined on a chain, if the cantonment authority has by public notice during the prevalence of rabies directed that dogs shall not be at large without muzzles or chain leads, shall be punishable with fine which may extend to twenty rupees."

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

Punjab Government Press, Lahore—4-7-13—764—860.

Particulars regarding the driver or drivers.

name

to

name

ia

PORT BLAIR.

The 13th June 1912.

. 131.—Lieutenant-Colonel M. W. Douglas, C. I. E., Officiating Superintendent, and Chief Commissioner of the Andaman and Nicobar Islands, is confirmed in ... with effect from the 17th May 1912.

H. WHEELER,
Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 20th June 1912.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

1st Punjab Volunteer Rifles.

. 131.—Ernest Frederic ... to be Captain ... Dated the 1st May 1912.

... Volunteer Rifles.

. 135.—Captain ... resigns his commission ... Dated the 1st April 1912.

CANTONMENTS.

REGULATIONS.

. 139.—The following draft of ... which it is proposed to make in ... the powers conferred by section ... of the Cantonments Act, ... (XV of 1910), ... as required by section ... sub-section ... clause ... said Act, for the information ... likely to be affected thereby and notice is given that the draft will be taken ... consideration by the Governor General in Council on or after the ... published ... objection or suggestion which may be received from any person with respect ... before the date fixed ... will be considered by the Governor General in Council.

Draft rules.

... 57, sub-section (1), of the Cantonment Code, 1912, after clause (b), the following clause shall be inserted:—

(c) ... whereof ... person in charge of any dog or other animal ... has reason to believe that such dog or animal has been bitten by ... and ... suffering from rabies ... notify to ... give immediate information of the fact to the Cantonment ... as ...

... clauses (c), (d) ... shall be re-lettered (d), (e) and ...

... —In exercise of ... conferred ... of the Cantonments Act, ... 1910, and in modification of ... of the Government of India ... Department, No. 102, dated the ... the Governor General in Council ... directs that ... sub-section ... of the ... sub-section being ... shall be inserted ...

... Whenever ... that ... said ... which ... said ... without ... thereof ... may ...

W. R. BIRDWOOD, Major-General,
Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JULY 11, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JUNE 28, 1913.

HOME DEPARTMENT.

NOTIFICATION.

POLICE.

Simla, the 26th June, 1913.

No. 565.—The services of Mr. C. Stead, M.V.O., Superintendent of Police, are replaced at the disposal of the Government of the Punjab, with effect from the afternoon of the 4th June 1913.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

EMIGRATION.

No. 5015-5030—62.

Simla, the 26th June, 1913.

RESOLUTION—By the Government of India, Department of Commerce and Industry.

Intimation has been received from His Majesty's Secretary of State for India that there is little probability of natives of India finding employment in Shanghai and Hankow as watchmen or in similar capacities.

The Governor-General in Council accordingly requests all Local Governments and Administrations to make the above intimation as widely known as possible, particularly in places from which emigration to China is believed to be most common.

Intending emigrants should also be warned at the ports of embarkation of the risks they run in proceeding to Shanghai and Hankow.

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*The Secretary to the Government of Madras.
" " " " Bombay.
" " " " Bengal.
" " " " Bihar and Orissa.
" " " " the United Provinces.
" " " " the Punjab.
" " " " Burma.
The Honourable the Chief Commissioner of the Central Provinces.
" " " " of Assam.
" Chief Commissioner of Coorg.
" " " of Ajmer-Merwara.
" Honourable the Chief Commissioner and Agent to the Governor-General, North-West Frontier Province.
" " the Agent to the Governor-General and Chief Commissioner in Baluchistan.

ORDERED that a copy of the above Resolution be forwarded for information and guidance to the Local Governments and Administrations * noted in the margin, and to the Home and Foreign Departments for information.

ORDERED, also, that a copy be published in the *Gazette of India* for general information.

POST OFFICE.

The 28th June 1913.

No. 4988-67.—In exercise of the powers conferred by section 21 of the Indian Post Office Act, 1898 (VI of 1898), as amended by the Indian Post Office (Amendment) Act, 1912 (III of 1912), the Governor General in Council is pleased to direct that the following amendments be made in the rules published with the notification of the Government of India in this Department, No. 2883-45, dated the 26th April 1913:—

1. *In Part II below the heading " I—Inland postal articles " the following new sub-head and rule shall be inserted* :—

" Letters.

" 4 A. Letters may be transmitted by post with or without prepayment of postage. Unpaid letters, with or without covers, shall be securely closed by the senders, and any such letter posted without having been securely closed, shall be forwarded for disposal to the office of the Postmaster General to be destroyed forthwith in accordance with rule 177."

2. *The existing Exception below rule* 143 (*a*) *shall be numbered Exception* 1 *and the following shall be inserted below it, namely* :—

" *Exception* 2.—The condition that unpaid letters must be securely closed by the senders shall not apply to letters sent unpaid under the provisions of rules 144 and 148-2".

3. *The following proviso shall be added at the end of rule* 177, *namely*:—

" Provided that unpaid letters, other than those sent under the provisions of rules 144 and 148, which have not been securely closed by the senders, shall be destroyed forthwith by being burnt ".

J. F. GRUNING,

Offg. Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 27th June 1913.

LONDON GAZETTE.

No. 558.—The following extracts are published for general information :—

* * * * * * * *

" *London Gazette," dated the 3rd June* 1913, *pages* 3909, 3910, 3914, 3915, 3918 *and* 3919.

India Office,

June 3, 1913.

GEORGE R. & I.

WHEREAS we deem it expedient to revise the rules for the promotion and precedence of Our Indian Medical Service :

OUR WILL AND PLEASURE is that the Warrant of Our late Royal Father of the 13th March, 1908, and our Warrant of the 8th August, 1911, be cancelled, and that from and after this date the following rules shall be established, and that by these rules Our Viceroy and Governor-General in Council shall be governed.

1. The substantive ranks of Medical Officers in Our Indian Military Forces shall be as follows :—

Surgeon-General (ranking as Major-General).

Colonel.

Lieutenant-Colonel.

Major.

Captain.

Lieutenant.

The Director-General of Our Indian Medical Service shall hold the substantive rank of Surgeon-General, but may rank as Lieutenant-General when approved by Our Secretary of State for India in Council.

2. An officer will not be permitted to remain in the service if at any time during the first three years from the date of his first commission his retention therein is, in the opinion of Our Secretary of State for India in Council, undesirable.

3. Except as otherwise herein provided, a Lieutenant shall be eligible for promotion to the rank of Captain on completing three years' full pay service, if he has previously passed such examinations as may be prescribed by Our Secretary of State for India in Council, and is in all other respects qualified and recommended. An officer who has not passed the prescribed examinations may be provisionally promoted, if, in the opinion of Our Governor-General of India in Council, he has not had a reasonable opportunity of passing. Such provisional promotion may be cancelled as soon as he has had such opportunity and has not passed.

4. Except as otherwise herein provided, a Captain shall be eligible, if in all respects qualified and recommended, for promotion to the rank of Major on completing nine years' full pay service in the rank of Captain. This period may be reduced by six months in the case of an officer who produces satisfactory evidence of progress in any branch of knowledge which is likely to increase his efficiency. A Captain who may be prevented by exigencies of the service from obtaining an opportunity of qualifying for such accelerated promotion shall have the concession open to him for a period of four years after his promotion to the rank of Major in ordinary course, but any antedate of promotion which may be granted shall be without adjustment of pay.

5. Except as otherwise herein provided, a Major shall be eligible, if in all respects qualified and recommended, for promotion to the rank of Lieutenant-Colonel on completing eight years' full pay service in the rank of Major, including any period covered by antedated promotion without adjustment of pay.

6. Time on half-pay, not exceeding one year, shall be allowed to reckon as service for promotion under Articles 3, 4, and 5, if removal to half-pay has been the consequence of medical unfitness caused by duty, military or civil.

7. A Captain after at least six years' service, a Major or a Lieutenant-Colonel may be promoted to the next higher rank by brevet for distinguished service in the field or for meritorious or distinguished service of an exceptional nature other than in the field.

8. A certain number of Lieutenant-Colonels may be specially selected for increased pay for ability and merit.

9. Promotion from the rank of Lieutenant-Colonel with increased pay to that of, Colonel, and from the rank of Colonel to that of Surgeon-General, shall be given by selection for ability and merit, and the grounds of such selection shall be stated to Us in writing and recorded in the Office of Our Secretary of State for India.

10. A Lieutenant-Colonel may also be promoted to the rank of Colonel, and a Colonel to the rank of Surgeon-General, for distinguished service in the field. In any such case the Officer shall remain supernumerary in the higher rank until the vacancy to which, in the ordinary course, he would have been promoted, or, in the case of an Officer promoted to the rank of Colonel, until selection for the rank of Surgeon-General.

11. Exchanges between Officers of Our Indian Medical Service and Officers of Our Royal Army Medical Corps, being of the same rank and below the rank of Major, and transfers of Officers below the rank of Major from either of the above-mentioned Services to the other, shall be permitted with the approval of Our Army Council and of Our Secretary of State for India in Council, and of the following condition :—

(1) That the Officers have less than seven years' service.
(2) That in the case of Captains, their seniority for the purpose of exchange shall be determined as if they had been promoted after the period of service required for promotion to that rank in the service into which they exchange, but that any alteration of date of rank made in pursuance of this provision shall be without adjustment of pay.
(3) Subject to (2) that the senior Officer exchanging takes the place of the junior on the list to which he exchanges, and shall not be promoted until the Officer next above him has been promoted, or has been refused promotion in consequence of failure to qualify for it.
(4) Subject to (2) that the junior Officer exchanging is placed for seniority next below all Officers on the list to which he exchanges whose commissions have the same date as his own.
(5) That the Officer transferred is placed for seniority below all Officers holding the same rank at the time of his transfer, and shall not be promoted until the Officer next above him has been promoted or has been refused promotion in consequence of failure to quality for it.

12. With a view to maintaining the efficiency of the service, Medical Officers shall be placed on the Retired List when they attain the following ages :—

Director-General	62
Surgeon-General	60
Colonel	60
Lieutenant-Colonel	55
Major...	55

But a Lieutenant-Colonel who entered the service before the 1st April 1911, and who has been specially selected for increased pay under Article 8, may, if he attains the age of 55 years before he becomes entitled to the pension for 30 years' service, be retained until completion of such service and in any special case where it would appear to be for the good of Our service that an Officer should be continued in employment, he may be so continued, subject in each case to the sanction of Our Secretary of State for India in Council.

13. An Officer appointed after the 11th September, 1890, who may retire on pension before completing 30 years' service, shall be liable, till he completes 55 years of age, to be recalled to duty in case of emergency.

14. Six of the most meritorious Officers of Our Indian Medical Service on the Active List shall be named Our Honorary Physicians and six Our Honorary Surgeons, and they shall relinquish such appointment on retirement. On appointment as one of Our Honorary Physicians or Honorary Surgeons an Officer under the rank of Colonel in Our Indian Medical Service may be promoted to the brevet rank of Colonel.

Given at Our Court at St. James's this twenty-eighth day of May 1913, in the fourth year of Our Reign.

By His Majesty's Command,

CREWE.

* * * * * * * *

MEDICAL DEPARTMENT.

No. 572.—Paragraph 10 of the regulations regarding the grant of study leave to officers of the Indian Medical Service, as published in Army Department Notification No. 867, dated the 6th September 1912, is reconstructed as follows :—

10. For the course of study lodging allowance at the rate of 8*s*. a day for a field officer, 6*s*. for a Captain, and 4*s*. for a Lieutenant, will be granted on the production of the certificates required by Rule 12. It is to be understood that, in order to qualify for the grant of Study Leave or for the receipt of Lodging Allowance, a definite course of study at a recognised institution, which will occupy the time of the officer for five or six days a week, must be pursued. Lodging allowance will be admissible up to 14 days for any period of vacation. A period during which an officer interrupts his course for his own convenience cannot be considered as vacation.

In the case of an officer retiring from the service without returning to India after a period of study leave the lodging allowance will be forfeited. If the officer is under Civil Leave Rules the study leave will be converted into furlough to the extent of the furlough standing to his credit at the date of retirement. Any balance of the period of study leave mentioned above which cannot be so converted will be excluded in reckoning service for pension.

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICES.

* * * * * *

THE following list of Munshis who are qualified to teach Urdu under India Army Order No. 162 of 1907, is published for the information of all those students of this language who are desirous of obtaining competent teachers :—

ALLAHABAD.

1. M. Jawala Prasad, I	...	Kasauli Hills. The Royal Scots Regiment, Sudder Bazar, Allahabad.
2. M. S. C. Bagchi	...	Government Observatory, Allahabad.

AMBALA.

3. M. Mohd. Miyan Khan	...	Sudder Bazar, Ambala.
4. M. Mohd. Akbar Khan	...	The Oriental Lodge, Ambala.
5. M. Jawala Prasad, II	...	B. I. Bazar, Ambala.

AMRITSAR.

6. M. Mohd. Ishaq	...	Khazana Gate, Amritsar.

CALCUTTA.

7. M. Mohd. Gholam Kibriya	...	17, Noorallah Doctor's Lane, Calcutta.
8. M. Badruddin Ahmed, B.A.	...	8, Mawlavi Imdad Ali's Lane, Calcutta.
9. M. Hossain Mirza	...	1, Syed Ismail Lane, Calcutta.
10. M. Mohd. Israil Khan	...	15, Karaya Road, Balligunge, Calcutta.
11. M. Syed Nawab Ali	...	11, Colootola Street, Calcutta.
12. M. Wahidun Nabi Khan	...	88/1, Baitakkhana Road, Calcutta.
13. M. Mohd. Abdul Hamid	...	152, Harrison Road, Calcutta.
14. M. Daliluddin Ahmad	...	28/1, Kimber Street (Karaya), Calcutta.

JHELUM.

15. M. Thakur Das Pahwa	...	Officers' Munshi, Jhelum.

KASAULI.

16. M. Anand Sarup	...	C/o. Munshi Kashi Nath, Dagshai Hills, or Depôt Kasauli.

LAHORE CANTONMENT.

17. M. J. Kishori Lal	...	R. A. Bazar, Lahore Cantt.
18. M. Sham Lal Bhargawa	...	Dangar Street, Sudder Bazar, Lahore Cantt.

LUCKNOW.

19. M. Abdul Alim	...	Near the Police Post, Hussaingunge, Lucknow.
20. M. Mohd. Yaqub Khan	...	Near Royal Hotel, Lucknow.

MURREE HILLS.

21. M. M. C. Saibgal	...	2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

PESHAWAR.

22. M. Bodh Raj	...	Royal Sussex Regiment (or Sudder Bazar), Peshawar.

RAWALPINDI.

23.	M. Ghulam Muhyuddin	...	R. A. Brigade Munshi, Rawalpindi.
24.	M. Ghulam Rasul	...	Sudder Bazar, Rawalpindi.
25.	M. Fazal Ahmad	...	Persian House, Rawalpindi.

ROORKEE CITY.

26.	M. Fazl-i-Haq	...	Mahalla Satti, Roorkee City.

SUBATHU.

27.	M. Gulzar Lal	...	South Lancashire Regiment, Subathu.

In addition to the above, the following, who were examined in Urdu previous to the institution of the examination mentioned in the above India Army Order, are also, in the opinion of the Board of Examiners, qualified to teach:—

CALCUTTA.

1.	M. Mohd. Arif	...	12, Harinbari Lane, Calcutta.
2.	M. Syed Abu Zafar	...	36, European Asylum Lane, Calcutta.
3.	M. Reza Ali Wahshat, M.R.A.S.		14, Karaya Road, Balligunge, Calcutta.
4.	M. Badru-z-Zaman	...	29, Ice Factory Lane, Entaly, Calcutta.
5.	M. Abdul Badi	...	5, Ramasanker Roy's Lane, Calcutta.
6.	M. A. M. F. Wahhab	...	Librarian, Calcutta Madrasah, Calcutta.
7.	M. Habibun Nabi Khan Saulat	...	89, Jhowtollah Road, Balligunge, Calcutta.
8.	M. Akmal Ali Akmal	...	9, Dr. Karam Hossain's Lane, Calcutta.
9.	M. Abdul Karim Nashter	...	1, Jhowtollah Lane, Balligunge, Calcutta.
10.	M. Mohd. Yusuf Khan	...	15, Karaya Road, Balligunge, Calcutta.

N. B.—It is requested that Munshis who have passed this examination and whose names do not appear above should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPTAIN,

Secretary and Member, Board of Examiners.

Punjab Government Press, Lahore—11-7-13—510—860.

Government Gazette
PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JULY 18, 1913.

PART II.

Republication from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JULY 5, 1913.

FINANCE DEPARTMENT.

NOTIFICATION.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

Simla, the 4th July, 1913.

THREE-AND-A-HALF PER CENT. LOAN.

No. 695-*F*.—His Excellency the Right Honourable the Governor General in Council has resolved to borrow three hundred lakhs of rupees for the public service in the following manner:

2. Promissory Notes will be issued for the said amount in the Form annexed to this Notification, being the form of the notes of *the Three-and-a-half Per Cent. Loan of* 1900-01, of which loan the notes to be now issued will form a part. All the conditions which apply to notes of *the Three-and-a-half Per Cent. Loan of* 1900-01, will apply to the notes to be now issued. The interest on the notes of the loan is payable half-yearly on the 30th day of June and the 31st day of December.

Tenders.

3. Tenders for the whole or any part of the said amount of Rs. 3,00,00,000 will be received by the Comptroller General at the Treasury Buildings, Calcutta, from this date to noon, standard time,* of Friday the 18th July 1913. Tenders must be for sums of 100 Rupees or multiples of that sum.

*Noon, standard time, corresponds to 12·24 P.M., Calcutta time.

4. Each tender must be addressed in the form annexed to this Notification, to the Comptroller General, Calcutta, and enclosed in a closed cover, superscribed "Tender for the Three-and-a-half Per Cent. Loan." If the tenderer is not resident in India, he must name an agent resident in India, to whom an allotment-certificate may be issued, if any part of the loan is allotted to such tenderer.

NOTE (1).—Tenders made in accordance with these instructions will also be received by the Accountants-General at Madras and Bombay on account of the Comptroller General, Calcutta, on the 17th July and up to noon, standard time,* on the 18th July provided that—

(a) they are delivered personally or by clerk or messenger at the Accountant-General's Office (where a receipt will be given for them);

(b) they are made on printed forms, to be obtained at the same office or at the local Presidency Bank;

(c) each tender is for not less than Rs. 10,000;

(d) the deposit is either a Promissory Note or a Treasury Receipt from the local office of the Presidency Bank, or a cheque on a local Bank in favour of the Accountant-General;

(e) the amount of the tender is made payable at the place of tender, *viz.*, Madras or Bombay (as the case may be) or in Calcutta;

and the Accountant-General will return deposits on non-accepted tenders and will issue allotment-certificates so far as the tenders are payable in Madras or Bombay.

5. The rate at which each tender is made must be specified in rupees or rupees and annas: a tender in which no rate is thus specified, but a subscription is offered in some other terms—as, for example, at the recorded minimum, or at some specified percentage in addition to the recorded minimum or at the average of the accepted tenders—will be rejected as null and void.

6. The rate at which a tender is made must not contain a fraction of an anna: if a rate containing a fraction of an anna is inserted in any tender, such fraction will be struck out and the tender treated as if the rate did not contain such fraction of an anna.

Deposits.

7. Each tender must be accompanied by a deposit of not less than one-hundredth or, if the tender be for less than Five Lakhs of Rupees, then for not less than one-fiftieth part of the tender. The deposit must be in one of the following forms: (*a*) a receipt for the amount from the Head Office of the Bank of Bengal, or Madras, or Bombay or one of their Branches, or from an officer in charge of some Public Treasury or (*b*) a cheque drawn in favour of the Comptroller General on a Bank in Calcutta, Madras or Bombay, or *c*) Government Promissory Notes† standing in the name of, or endorsed to, the tenderer or the person making the deposit.

8. (*a*) Deposits, not being Promissory Notes, will, in the case of accepted tenders, be credited proportionately in part payment of the allotment-certificates issued in respect of the tender, and will bear interest for the purpose of clause 16 below from the date of the opening of tenders. When a tender is not accepted in full, the deposits, when they are not in the form of Promissory Notes, will be credited as far as possible proportionately in part payment of the allotment-certificates issued in respect of it. If any allotment-certificate is not fully taken up, the deposit credited in respect of it will be forfeited.

(*b*) Promissory Notes deposited in respect of any accepted tender will be held until all the allotment-certificates issued in respect of the tender are paid up, and will, if the allotment-certificates are not fully taken up, be appropriated by the Government and cancelled.

Opening of Tenders.

9. The minimum rate at which tenders will be accepted will be recorded under the signature of the Comptroller General, and before the tenders are opened, placed upon the table in a sealed envelope, but will not be declared unless some tender is rejected only because it is below the recorded minimum.

10. Tenders will be opened publicly by the Comptroller General at the Treasury Buildings, Calcutta, at noon, standard time,* on Friday the 18th July next, and those received under the terms of note (1) to clause 4 will be similarly opened by the Accountants-General at Madras and Bombay at noon, standard time,* on the same day; but the contents of the tenders will not be disclosed otherwise than as provided in clause 12.

*Noon, standard time, corresponds to 12-24 P. M., Calcutta time.

† *It is particularly requested that such Promissory Notes may NOT be endorsed to the Comptroller General.*

11. Tenders at rates not below the minimum rate will be accepted in the order of the rates tendered, beginning with the highest rate. The amount allotted at the lowest rate at which tenders are accepted will be divided amongst those who have tendered at this rate in proportion, as nearly as may be found convenient, to the amounts of their tenders; provided that no allotment will be issued if the amount distributable on any tender is less than Rs. 100; preference will, however, be given to small tenders, not exceeding Rs. 2,000, at the lowest accepted rate, such tenders receiving allotments in full as far as possible.

Allotment-Certificates.

12. To each tenderer (or to his agent) whose tender is accepted in whole or in part, such number of allotment-certificates as may be necessary to make up the aggregate amount allotted to him will be issued by the Comptroller General[1] as soon as possible after the 18th July and an alphabetical list of the names of those to whom such allotment-certificates are issued will be posted for general information at the Head Offices of the Banks of Bengal, Madras and Bombay.

[1] For tenders received by the Accountant-General at Madras or Bombay, and payable at those places, the Accountant General will issue the allotment-certificates.

13. If the allotment made on any tender is less than Rs. 3,000, then the whole of the allotment-certificates [after credit of the deposit under clause 8 (*a*)] will be made payable upon the 30th August.

Otherwise, the whole amount of each allotment will be divided into two instalments as follows:—

Instalment I.—As near as convenient to 50 per cent., but not less than 50 per cent. payable upon the 4th August;

Instalment II.—The balance payable upon the 30th August;

and allotment-certificates will be issued for each instalment separately.

But the whole or any part of any accepted tender may be paid at any time after receipt of the allotment-certificates.

The words "as near as convenient" refer to the necessity for making each instalment an exact multiple of Rs. 100.

14. Any allotment-certificates will, on application to the Comptroller-General at Calcutta, be exchanged for an equivalent amount of allotment-certificates of smaller denominations; provided that if any payment (beyond the deposit) is recorded upon the cancelled certificate, it can be taken against, and recorded upon, only one of the certificates issued in exchange.

15. Payment of any allotment-certificate may be made to the account of the Government in the Head Office of the Bank of Bengal, or Madras, or Bombay, or in any Branch of these Banks or into any Public Treasury or Treasuries in India which may be named in the tender in respect of which it was issued. Receipts for such payments will be given by the Banks of Bengal, Madras and Bombay, or their Branches, or by the officers in charge of the Government Treasuries at which payment is made, by enfacement upon the relative certificate.

Issue of Promissory Notes.

16. (*a*) When any allotment-certificate is fully paid up, the holder will, on presenting it duly receipted at the place where it was paid, obtain from the Public Debt Office, Calcutta, Promissory Notes of such values as he may desire (each note being in even hundreds and not less than Rs. 100) bearing interest from the 31st December 1913, and he will also receive interest at 3½ per cent. per annum from the dates on which he may have made payment till the 30th December 1913.

(*b*) Or he may, at his option, by paying interest at the said rate from the 30th June 1913, to the dates on which he may have made payment, obtain Promissory Notes as above, bearing interest from the 30th June 1913.

FORM OF PROMISSORY NOTE (see Clause 2).

Fort William, the

Promissory Note *Government Rupees* *at 3½ per cent*

No. *of 1900-01*

The Governor General of India in Council does hereby acknowledge to have received from the sum of Government Rupees one hundred only as a loan to the Secretary of State in Council for India, and does hereby promise, for and on behalf of the said Secretary of State in Council, to repay the said loan by paying the said sum of Government Rupees one hundred only to the said

his Executors, or Administrators, or his or their order, on demand, at the General Treasury, at Fort William, after the expiration of three months' notice of payment, to be given by the Governor-General of India in Council in the *Government Gazette*, and to pay the interest accruing on the said sum of Government Rupess one hundred only from the

at the rate of three-and-a-half per cent. per annum, by half-yearly payments, at the General Treasury, at Fort William, to the said

, his Executors or Administrators, or his or their order, until the expiration of three months after such notice of payment as aforesaid, when the amount of interest due will be payable with the principal, and (such notice being considered as equivalent to a tender of payment at the period appointed for the discharge of this Note) all further interest shall cease.

The Governor-General in Council hereby further engages that notice of payment as aforesaid shall not be given before the Thirtieth day of September 1920, and that this note shall not be discharged before the thirty-first day of December 1920.

FORM OF TENDER (see Clause 4).

I, *A. B.*, hereby tender for Rupees (X) of *The Three-and-a-half Per Cent. Loan* advertised in the Notification published in the *Gazette of India. Extraordinary*, dated the 4th July 1913, and agree to pay for the same, subject to the conditions notified, at the rate of Rupees (Y) Annas (Z) for every hundred rupees allotted to me.

I enclose a *deposit receipt** for Rupees (XX) and engage, if my offer be accepted, to pay to the account of the Government at the *Bank of*† *or at the*† *Branch of the Bank of*† *; or into the Public Treasury at*† *; as the case may be—*

* Or Cheque or Government Promissory Note.
† Here enter the name of Bank, Branch Bank or Treasury

The first instalment, as near as convenient to 50 per cent., but not less than 50 per cent., on or before the 4th August.

The balance on or before the 30th August.

Or, if the amount allotted to me be less than Rs. 3,000, then the whole amount on or before the 30th August.

Any allotment made to me may be communicated to *C. D.* at ‡

‡ Here insert *C. D.'s* address which must be in India. This paragraph should only be inserted if *A.B.* does not reside in India, or if residing in India, he wishes the allotment communicated to an agent or desires to pay the instalments elsewhere than at the place where the tender is submitted, and wishes the allotment-certificates to be given to an agent at that place.

NOTE.—*A separate tender must be made at each rate tendered. The rate tendered should be the whole amount per centum, not the premium or discount: thus "One hundred and two" or "One hundred" or "Ninety-nine", not "Two per cent. premium" or "Par" or "One per cent. discount".*

By order of the Governor General in Council,

J. B. BRUNYATE,

Offg. Secretary to the Government of India.

NOTIFICATION BY THE COMPTROLLER GENERAL.

The Comptroller General requests the attention of tenderers to the following arrangements:

Filling up Tenders.

(1) They are requested to use only the printed forms of tender, which will be available at his Office and at the Currency Office on application to the Darwan on duty, at all the Provincial Account Offices, and at the Banks of Bengal, Madras and Bombay, and will also be supplied to the Principal Treasuries.

(2) If the deposit is in the form of Promissory Notes or of Currency Notes, their number should be quoted in detail in the tender.

Presentation of Tenders.

(3) For all tenders presented to him in his office at Calcutta upon the last fixed day, or the two days preceding it, he will give the bearer a receipt bearing a number and initialled by himself or an assistant specially deputed for the purpose. The Accountants General at Madras and Bombay will do likewise in respect of tenders presented to them under note (1) to clause 4 of the Government Notification.

Return of Deposit in case of Non-acceptance.

(4) The reverse of this receipt is a form in which, in the event of the tender not being accepted, the tenderer may give to the Comptroller General or Accountant General a receipt for the deposit accompanying it. This form should, on the third day after the opening of the tenders, be filled up, signed with the same signature as the tender, and be presented at the Calcutta Office of the Comptroller General or the Office of the Accountant General. The deposit will then be returned to the bearer in exchange for the receipt.

(5) Deposits upon tenders presented personally, as described in No. (3) above, will be returned only in this way, and will not be sent by post or otherwise. Deposits upon other unsuccessful tenders will be returned by post or by the hands of a clerk.

Accepted Tenders.

(6) The Comptroller General at Calcutta and the Accountant General at Madras or Bombay (in the case of tenders received by such Accountant General and payable in Madras or Bombay), will issue allotment-certificates to successful tenderers. These certificates will be for the following amounts :—Rs. 100, Rs. 300, Rs. 500, Rs. 1,000, Rs. 2,000, Rs. 5,000, Rs. 10,000, Rs. 20,000, Rs. 50,000, Rs. 1,00,000 making up the full value accepted; and the deposit on the tender will be divided among them; they will be substantially of the following form :

This is to certify that, in accordance with the terms of Notification No. 695 F., dated the 4th July 1913 (*Gazette of India, Extraordinary, dated the 4th July* 1913), *the above-named tenderer has engaged to take up Rs.* 2,000 *of the* 3 *Per cent. Loan of* 1900-01 *at the rate above mentioned on or before* ; *and that on the said payment being completed, he is entitled on endorsing and delivering up this certificate to receive a promissory note or notes of the Government of India for Rs.* 2,000 *bearing interest from*

CALCUTTA;
The 4th July 1913.

M. F. GAUNTLETT,
Comptroller and Auditor General.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

CUSTOMS.

Simla the 5th July 1913.

No. 5249-74.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India, of any copy of the pamphlet in English entitled "Proclamation of Liberty".

J. F. GRUNING,
Offg. Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICES.

The following list of Munshis who are qualified to teach Urdu under India Army Order No. 162 of 1907, is published for the information of all those students of this language, who are desirous of obtaining competent teachers :

ALLAHABAD.

1. M. Jawala Prasad, I ...	... Kasauli Hills. The Royal Scots Regiment, Sudder Bazar, Allahabad.
2. M. S. C. Bagchi	... Government Observatory, Allahabad.

AMBALA.

3. M. Muhd. Miyan Khan ...	... Sudder Bazar, Ambala.
4. M. Muhd Akbar Khan ...	... The Oriental Lodge, Ambala.
5. M. Jawala Prasad, II ...	... B. I. Bazar, Ambala.

AMRITSAR.

6. M. Muhd. Ishaq	... Khazana Gate, Amritsar.

CALCUTTA.

7.	M. Muhd. Gholam Kibriya ...	... 17, Noorallah Doctor's Lane, Calcutta.
8.	M. Badruddin Ahmed, B.A. ...	... 8, Mawlavi Imdad Ali's Lane, Calcutta.
9.	M. Hossain Mirza ...	... 1. Syed Ismail Lane, Calcutta.
10.	M. Muhd. Israil Khan ...	... 15, Karaya Road, Balligunge, Calcutta.
11.	M. Syed Nawab Ali ...	... 11, Colootola Street, Calcutta.
12.	M. Wahidun Nabi Khan ...	... 88/1, Baitakkhana Road, Calcutta.
13.	M. Muhd. Abdul Hamid ...	... 152, Harrison Road, Calcutta.
14.	M. Daliluddin Ahmed ...	... 28/1, Kimber Street (Karaya), Calcutta.

JHELUM.

15.	M. Thakur Das Pahwa ...	... Officers' Munshi, Jhelum.

KASAULI.

16.	M. Anand Sarup	... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt, Kasauli.

LAHORE CANTT.

17.	M. J. Kishori Lal ...	... R. A. Bazar, Lahore Cantt.
18.	M. Sham Lal Bhargava ...	... Dangar Street, Sudder Bazar, Lahore Cantt.

LUCKNOW.

19.	M. Abdul Alim	... Near the Police Post, Husaingunge, Lucknow.
20.	M. Muhd. Yaqub Khan ...	... Near Royal Hotel, Lucknow.

MURREE HILLS.

21.	M. M. C. Saighal	... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

PESHAWAR.

22.	M. Bodh Raj	... Royal Sussex Regiment (or Sudder Bazar), Peshawar.

RAWALPINDI.

23.	M. Ghulam Muhiuddin ...	... R. A. Brigade Munshi, Rawalpindi.
24.	M. Ghulam Rasul... ...	... Sudder Bazar, Rawalpindi.
25.	M. Fazal Ahmed	... Persian House, Rawalpindi.

ROORKEE CITY.

26.	M. Fazl-i-Haq	... Mahalla Satti, Roorkee City.

SUBATHU.

27.	M. Gulzar Lal	... South Lancashire Regiment, Subathu.

In addition to the above, the following, who were examined in Urdu previous to the institution of the examination mentioned in the above India Army Order, are also, in the opinion of the Board of Examiners, qualified to teach :

CALCUTTA.

1.	M. Muhd. Arif	... 12, Harinbari Lane, Calcutta.
2.	M. Syed Abû Zafar ...	... 36, European Asylum Lane, Calcutta.
3.	M. Reza Ali Wahshat, M.R.A.S.	... 14, Karaya Road, Balligunge, Calcutta.
4.	M. Badru-z-Zaman ...	... 29, Ice Factory Lane, Entaly, Calcutta.
5.	M. Abdul Badi	... 5, Ramshanker Roy's Lane, Calcutta.
6.	M. A. M. F. Wahhab ...	... Librarian, Calcutta Madrasah, Calcutta.
7.	M. Habibun Nabi Khan Saulat	... 89, Jhowtollah Road, Balligunge, Calcutta.
8.	M. Akmal Ali Akmal ...	... 9, Dr. Karam Hossain's Lane, Calcutta.
9.	M. Abdul Karim Nashter ...	... 1, Jhowtollah Lane, Balligunge, Calcutta.
10.	M. Muhd. Yusuf Khan ...	... 15, Karaya Road, Balligunge, Calcutta.

N.B.—It is requested that Munshis who have passed this examination and whose names do not appear above should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

FROM THE SUPPLEMENT TO THE GAZETTE OF INDIA, JULY 5, 1913.

No. 5088-5112-1.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

COMMERCIAL EXHIBITIONS

Simla, the 30th June 1913.

RESOLUTION.

IN continuation of Resolution No 1161-1185-1, dated the 17th February 1913, the following information relative to the Fourth International Rubber and Allied Industries Exhibition and the First International Cotton, Fibres, and other Tropical Agricultural Products and Allied Industries Exhibition which will be held in London in the year 1914 is published for general information.

The Government of India have decided not to participate in the exhibitions.

Extract from preliminary prospectus.

INTRODUCTION.—These Exhibitions will be held at the Royal Agricultural Hall, London, from the 24th June to the 9th July, 1914, in connection with, and during the sitting of the International Congress of Tropical Agriculture, which will be attended by Delegates from all parts of the world.

Already a large number of British and Foreign Governments as well as many commercial firms of Europe and America have intimated their intention to exhibit, and it will be at the option of the Governments, Associations, Companies and Firms to show their rubber separately from the Cotton, Fibres and other tropical agricultural products that may be grown in their respective countries, or to combine them, as one exhibit of all products.

Arrangements will be made for the International Congress to hold meetings of certain Sections at the Exhibition during the Fourth International Rubber Conference, and Delegates will have the opportunity of attending both.

The coming Exhibitions should very materially benefit Agricultural Industries of the tropical and sub-tropical countries, as their scope will be widely extended and they are being organised for the purpose of displaying to visitors from all parts of the world, not only rubber, but all commercial products grown in the soil. The various products that are grown in tropical or sub-tropical countries and exported to different places are seldom brought together so that manufacturers, dealers, etc., from all parts of the world can meet and examine them, and discuss supplies with the representatives of Governments, producers, etc. London is the convenient centre, and June is the time of the year most convenient for representatives for producing countries to visit England; it is also a season when manufacturers and dealers can find it convenient to visit this country and converse with producers from far distant parts. London is without a doubt the proper meeting ground for the Congress of Tropical Agriculturalists, Manufacturers, and others interested in these great and increasing industries.

AREA OF THE EXHIBITION.—The available space for the Exhibition covers an area of over 200,000 square feet.

COMPETITIONS, 1914.

A complete list, with the conditions of the numerous Competitions is not yet ready for press, but will be published in book form in the course of a few weeks. The following particulars are given for general information.

SIR HENRY A. BLAKE, G.C.M.G.—THE PRESIDTNT'S TROPHY.

(Open to the whole World.)

Sir Henry has kindly intimated that he will present a Trophy for the exhibit proving the greatest interest in connection with the production, preparation, or use of rubber products exhibited in the Exhibition, whether raw or manufactured, or machinery and appliances necessary for the production.

PROFESSOR WYNDHAM DUNSTAN, C.M.G., L.L.D., F.R.S.—THE PR DEMT'S TROPHY.

(President of the Cotton Fibres, etc., Exhibition).

Has kindly offered to present a Trophy of which particulars will be announced.

DIAMOND JUBILEE TROPHY.

(Open only to planters of Ceylon, who are Members of the Planters' Association of Ceylon.)

To commemorate the Diamond Jubilee of the Planters' Association of Ceylon.

RUBBER GROWERS' ASSOCIATION (London).

Will again arrange Special Competitions.

TROPHY presented by L'ASSOCIATION DES PLANTEURS DE CAOU CHOUC, ANTWERP.

"THE INDIA RUBBER JOURNAL" (London) SPECIAL TROPHY.

"GUMMI-ZEITUNG" (Berlin) TROPHY.

"RUBBER WORLD" (London) TROPHY.

1st: A silver Cup value £20.

2nd: A Silver Salver.

(Both Suitably Inscribed.)

For the Essay judged to be the most practical, useful and comprehensive o subject.

"What is an Ideal Rubber Estate?"

The idea of the Competition is not Literary, but Practical, and is open to all Pl Estate Managers and their Assistants in all countries.

"GRENIER'S RUBBER NEWS" (F.M.S.) TROPHY.

1st Prize: Handsome Solid Silver Trophy, value £50.

2nd Prize: Silver Trophy, value £ 15.

For the best bulk sample of 112 lbs. of plantation rubber f om a commercial ment.

Open to the following rubber producing countries:—The Federated Malay St Straits Settlements, State of Johore, State of Kedah, State of Kelatan, Java Sumatra, Borneo and Indo-China.

"INDIA RUBBER WORLD" (New York), $1,000 (One Thousand Dol TROPHY.

"TROPICAL LIFE" (London).

Gold Medal for the best sample of Ceara Rubber.
Gold Medal " " Sisal Hemp.
Gold Medal " " Cocanut Fibre.
Gold Medal " " Robusta Coffee.
Gold Medal " " Copra.
Gold Medal for the most efficient Hand Spraying Machine.
Gold Medal " " Power Spraying Machine

WILD RUBBER—A MAGNIFICENT TROPHY.

For the best exhibit of wild rubber; open to all countries. Samples will be t from the general exhibit of the countries exhibiting, and will be subjected to the M facturers' and Chemists' tests, and the rubber securing the highest number of points receive the award.

No fee to be paid for entrance in any of the Competitions.

OFFICIAL HANDBOOK :—

NOTICE EXHIBITING COUNTRIES.

This will contain a large number of illustrations, and a series of articles specially written, on all subjects relating to the commercial agricultural products of the soil; production, manufacture, chemistry, etc. Each exhibiting country will have the privilege of having a special article dealing with the resources and attractions of their respective country, inserted without charge, such article to be supplied legibly written, or typewritten on one side of the paper only. The book will contain 800 pages and 8,000 copies will be issued.

THE RATE FOR SPACE FOR EXHIBITS in all sections, departments and positions (the management consider one position as good as another) **IS 4/-PER SQ. FOOT.** Minimum size is 12 by 12, but very few spaces are arranged for this size. The management do not fix upon any maximum. A Government or Association can have whatever amount of space they wish beyond 12 by 12. Many exhibitors consider certain positions as especially good, and if they wish to secure them they should apply for them at once. Plans and applications for space may be obtained on application to the management.

Exhibits may be sent in on or after 6 A.M., 15th June, 1914. An earlier date may be arranged if necessary.

The exhibition will open at 3 P.M., on Wednesday, 24th June, and thence daily till Thursday, 9th July, 1914.

Fare by electric car, from the City and parts of the West End to the Hall, One Penny.

PRESS VIEW.—Arrangements will be made for a special Press view on the evening of the 23rd June, in order that exhibitors may be enabled to furnish particulars of their several exhibits to the representatives of the Press of England and other parts of the world.

RUBBER CLUB.—A special Club Room will again be opened and placed at the disposal of Commissioners, Delegates, Committee, and Exhibitors (Principals only) of both Exhibitions.

SEASON TICKETS.—Season tickets entitling holders to membership of the EXHIBITION CLUB and available at all times the Exhibition is open to the public, will be issued at 7/6 each, including admission to the Opening Ceremony.

MOVING PICTURES.—The management will place at the disposal of exhibiting countries free of charge, a suitable Lecture Hall in which, at intervals, moving pictures may be shown to demonstrate the resources and attractions of their respective countries, and short lectures may be given.

ORDERED that the information be published in the Supplement to the *Gazette of India* for general information, and that copies of the Resolution be forwarded to all Local Governments and Administrations and to the Foreign and Revenue and Agricultural Departments for information.

Ordered, also, that a copy be forwarded to all Chambers of Commerce for information.

J. F. GRUNING,

Offg. Secretary to the Government of India.

Punjab Government Press, Lahore—18-7-13—887—860.

[illegible] HANDBOOK:—

NOTICE [illegible] EXHIBITING COUNTRIES.

[illegible] contains a large number of illustrations and a series of articles specially [illegible] and relating to the commercial agricultural [illegible] of the [illegible] [illegible] chemistry, etc. Each exhibiting country will [illegible] [illegible] article dealing with the resources and attractions of their respective [illegible] without charge, such article to be supplied legibly written [illegible] [illegible] of the paper only. The book will contain [illegible] pages and [illegible]

[illegible] FOR SPACE FOR EXHIBITS in all [illegible] departments and pavilions (the [illegible] [illegible] positions good as [illegible] [illegible] [illegible] [illegible] but very few spaces are [illegible] for this [illegible]. The management [illegible] [illegible] positions. A Government of [illegible] can have whatever amount of space [illegible] up by 12. Many exhibitors [illegible] certain positions as specially good, [illegible] to secure them they should apply for them at once. Plans and applica- [illegible] may be obtained on application to the management.

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[illegible] TICKETS.—Season tickets entitling holders to [illegible] of the EXHIBI- [illegible] and available at all times the Exhibition is open to the public, will be issued [illegible] including admission to the Opening Ceremony.

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Ordered, also, that a copy be forwarded to all Chambers of Commerce [illegible] information.

J. F. GRUNING,

Offg. Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JULY 25, 1913.

PART II.

Republication from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JULY 12, 1913.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

Simla, the 11th July, 1913.

No. 1332.—The services of Mr. G. Worsley, of the Indian Civil Service, are replaced at the disposal of the Government of the Punjab, with effect from the 1st July 1913.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

CUSTOMS.

Simla, the 11th July, 1913.

No. 5487.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor-General in Council is pleased to prohibit the bringing by sea or by land, into British India, of any copy of the pamphlet in Urdu entitled "The Sword is the Last Resort (AKHIR-UL-HILASAIFO)".

J. F. GRUNING,

Offg. Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATIONS.

BOOKS.

Simla, the 4th July, 1913.

No. 346.—The following Order of His Majesty in Council for giving effect to the accession of the Netherlands on behalf of the Netherlands East Indies and Curaçao to the International Copyright Union, published in the London Gazette of the 15th April 1913, is re-published for general information :—

At the Court at *Buckingham Palace*, the 11th day of April 1913.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY.

Lord President,	Lord Chamberlain,
Viscount Allendale,	Mr. J. A. Pease.

WHEREAS His Majesty, by virtue of the authority conferred on Him by the Copyright Act, 1911, and having regard to the provisions of the Berlin Copyright Convention, was pleased to make an Order in Council, dated the 24th day of June 1912 (hereinafter called the Principal Order), extending the protection of the said Act to certain classes of works to which protection is guaranteed by the said Convention.

And whereas by Orders in Council, dated the 17th day of March 1913, the provisions of the Principal Order were extended, subject to certain modifications, to Denmark and the Netherlands.

And whereas the Kingdom of the Netherlands has acceded on behalf of the Netherlands East Indies and the Colony of the Curaçao to the said Berlin Copyright Convention, subject to the reservations mentioned in the Schedule to this Order:

Now, therefore, His Majesty, by and with the advice of His Privy Council, and by virtue of the authority conferred upon Him by the Copyright Act, 1911, is pleased to order, and it is hereby ordered as follows :—

(1.) The Principal Order shall extend to the Netherlands East Indies and the Colony of Curaçao as if they were amongst the foreign countries of the Copyright Union therein named, subject to the following modifications :—

(*a*) The provisions of Article (2), Proviso (iii) (*b*), and of Article (2), Proviso (iii) (*c*), of the Principal Order shall apply as if the Netherlands East Indies and the Colony of Curaçao were included amongst the foreign countries named in those provisions.

(*b*) In the application to works of which the country of origin is the Netherlands East Indies or the Colony of Curaçao of Sections 1 (2) (*d*) and 19 of the Copyright Act, 1911, the date of this Order shall be substituted for the commencement of the Act in Sections 19 (7) and 19 (8) wherever that expression occurs, and the 1st April 1913, for the passing of the Act.

(*c*) In the application to such works of the provisions of Section 24 of the Copyright Act, 1911, the date of this Order shall be substituted for the commencement of the Act wherever that expression occurs in Sub-section (1) (*a*), and for the 26th July 1910, in Sub-section 1 (*b*).

(*d*) In the application to such works of the provisions of Article (3) of the Principal Order the date of this Order shall be substituted for the commencement of the Principal Order.

And the Lords Commissioners of His Majesty's Treasury are to give the necessary Orders accordingly.

Almeric Fitzroy.

SCHEDULE.

RESERVATIONS MADE TO THE BERLIN CONVENTION.

Country.	Subject.	Substituted Provisions, Convention, and Additional Act of Paris.
[illegible]herlands ...	Translating right ...	Article 5 of the Berne Convention as amended by the Additional Act.
	Newspaper and Magazine Articles.	Article 7 of the Berne Convention as amended by the Additional Act.
	Performing right as regards translations.	Article 9, paragraph (2), of the Berne Convention.

ECCLESIASTICAL.

The 10th July 1913.

No. 342.—The Governor General in Council is pleased to direct that the following shall be substituted for Rule 23-A in Part V of the Ecclesiastical Rules, published with the Department of Education notification No. 212, dated the 10th May 1913 :—

Rule 23-A.—Local Governments and Administrations, including the Director-General of Military Works Services, are authorized to incur, when necessary, expenditure which is in excess of that permissible under, or is not covered by, the preceding rules, up to a limit of Rs. 500 in each case, on the understanding that this sum represents the maximum aggregate expenditure which may be sanctioned by them for additions and alterations to any one Church.

NOTE.—The above rule has effect from the 11th September 1910. Local Governments, however, may also sanction such expenditure, up to a limit of Rs. 500, even if the permissible grant had been exceeded prior to that date, irrespective of the amount of such excess.

L. C. PORTER,

Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICE.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language who are desirous of obtaining competent teachers :

ALLAHABAD.

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2. M. S. C. Bagchi ... ... Government Observatory, Allahabad.

AMBALA.

3. M. Mohd. Miyan Khan ... ... Sudder Bazar, Ambala.
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AMRITSAR.

6. M. Mohd. Ishaq ... ... Khazana Gate, Amritsar.

CALCUTTA.

7. M. Mohd. Gholam Kibriya ... ... 17, Noorallah Doctor's Lane, Calcutta.
8. M. Badruddin Ahmed, B.A. ... ... 8, Mawlavi Imdad Ali's Lane, Calcutta.
9. M. Hossain Mirza ... ... 1. Syed Ismail Lane, Calcutta
10. M. Mohd. Israil Khan ... ... 15, Karaya Road, Balligunge, Calcutta.
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12. M. Wahidun Nabi Khan ... ... 88/1, Baitakkhana Road, Calcutta.
13. M. Mohd. Abdul Hamid ... ... 152, Harrison Road, Calcutta.
14. M. Daliluddin Ahmed ... ... 28/1, Kimber Street (Karaya), Calcutta.

		JHELUM.
15.	M. Thakur Das Pahwa ...	... Officers' Munshi, Jhelum.
		KASAULI.
16.	M. Anand Sarup	... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt, Kasauli.
		LAHORE CANTT.
17.	M. J. Kishori Lal ...	... R. A. Bazar, Lahore Cantt.
18.	M. Sham Lal Bhargava ...	... Dangar Street, Sudder Bazar, Lahore Cantt.
		LUCKNOW.
19.	M. Abdul Alim	... Near the Police Post, Husaingunge, Lucknow.
20.	M. Mohd. Yaqub Khan ...	... Near Royal Hotel, Lucknow.
		MURREE HILLS.
21.	M. M. C. Saighal	... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.
		PESHAWAR.
22.	M. Bodh Raj	... Royal Sussex Regiment (or Sudder Bazar), Peshawar.
		RAWALPINDI.
23.	M. Ghulam Muhiuddin ...	... R. A. Brigade Munshi, Rawalpindi.
24.	M. Ghulam Rasul... ...	... Sudder Bazar, Rawalpindi.
25.	M. Fazal Ahmed	... Persian House, Rawalpindi.
		ROORKEE CITY.
26.	M. Fazl-i-Haq	... Mahalla Satti, Roorkee City.
		SUBATHU.
27.	M. Gulzar Lal	... South Lancashire Regiment, Subathu.

In addition to the above, the following, who were examined in Urdu previous to the institution of the examination mentioned in the above India Army Order, are also, in the opinion of the Board of Examiners, qualified to teach :

		CALCUTTA.
1.	M. Mohd. Arif	... 12, Harinbari Lane, Calcutta.
2.	M. Syed Abu Zafar ...	... 36, European Asylum Lane, Calcutta.
3.	M. Reza Ali Wahshat, M.R.A.S.	... 14, Karaya Road, Balligunge, Calcutta.
4.	M. Badru-z-Zaman ...	... 29, Ice Factory Lane, Entaly, Calcutta.
5.	M. Abdul Badi	... 5, Ramsanker Roy's Lane, Calcutta.
6.	M. A. M. F. Wahhab ...	... Librarian, Calcutta Madrasah, Calcutta.
7.	M. Habibun Nabi Khan Saulat	... 89, Jhowtollah Road, Balligunge, Calcutta.
8.	M. Akmal Ali Akmal ...	... 9, Dr. Karam Hossain's Lane, Calcutta.
9.	M. Abdul Karim Nashter ...	... 1, Jhowtollah Lane, Balligunge, Calcutta.
10.	M. Mohd. Yusuf Khan ...	... 15, Karaya Road, Balligunge, Calcutta.

N.B.—It is requested that Munshis who have passed this examination and whose names do not appear above should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED JULY 12, 1913.

Nos. 1233—1247.

GOVERNMENT OF INDIA,

DEPARTMENT OF EDUCATION.

Dated the 10*th July* 1913.

RESOLUTION.

WITH a view to meeting to some extent the demand for well educated women in India in the teaching and medical professions, the Government of India have for some time past had under consideration the question of instituting a State scholarship for domiciled European or Anglo-Indian girls or women to enable them to complete their studies abroad.

2. After consulting Local Governments on the question and considering the recommendation made by the Conference on the education of the domiciled community held at Simla in July 1912, the Government of India have now obtained the sanction of the Secretary of State to the grant of one scholarship annually, tenable in the United Kingdom or, with special sanction, in foreign countries to a domiciled European or Anglo-Indian girl or woman.

3. The Governor General in Council is accordingly pleased to announce that—

(a) one scholarship of the value of £200 a year, the cost of which will be defrayed from Imperial revenues, will be awarded annually to a European or Anglo-Indian girl or woman who is a native of India within the meaning of Statute 33 Vict., Chap. 3, section 6, and whose parents are not resident in India for temporary purposes only ;

(b) the scholarship will be granted for educational or medical training. The term 'educational training' will be construed in a wide sense and will include the following :—

(i) Training of a secondary character for the teaching profession,

(ii) Training in one or more branches of domestic science,

(iii) Training as teachers of modern European languages,

(iv) Training as music mistresses,

(v) Training as art teachers,

(vi) Training in kindergarten methods ;

(c) the scholarship will be tenable in the United Kingdom or, with special sanction, in foreign countries, for a period of three years in the first instance, with the possibility of extension in special circumstances and in particular in the case of medical students to four and five years ;

(d) the scholarship will carry with it no conditions as to any subsequent career or service under Government and no expectations of such employment will be held out.

4. The following procedure will be observed in the selection of candidates for the scholarship :—

(a) Each Local Government will be invited to nominate annually a candidate who has passed the B. A. examination of an Indian university or, in the case of a medical candidate, who possesses an Indian degree in medicine The candidate must produce medical evidence of physical fitness to undergo abroad the course of study proposed, and must have friends or relatives in England to whom her parents or guardians would be willing to commit her guardianship during vacations. Nominations should be submitted by the 31st March of each year.

(b) The Government of India will select from among the candidates nominated by the Local Governments the one who appears to them to be the best fitted to hold the scholarship.

5. The candidate to whom the scholarship is awarded will be required to proceed to England within a reasonable time from the date of her selection and to reside there for a period of three to five years, as the case may be, unless compelled to return sooner by ill-health. The scholarship will be payable from the date of her reporting her arrival in England. She will be provided with a free second class passage to England and also with a free return passage if she completes the full period of residence or is compelled by sickness to return within that period.

6. The scholar will, on arrival in England, be required to bind herself by a written engagement to submit to the following rules and to such other regulations as may from time to time be framed by His Majesty's Secretary of State for India for the guidance of scholars in England :—

(a) Every scholar shall, on reaching England, at once call upon the Secretary for Indian students and report her arrival in writing. She shall leave her address with the Secretary for Indian students and intimate to him from time to time all changes therein.

(b) Every scholar shall, without unnecessary delay, inform the Secretary for Indian students to which university she intends to proceed, and shall at once take steps to enter herself at the college she has finally selected with his approval.

(c) Every scholar shall, within four weeks of reaching England, submit to the Secretary for Indian students, for the approval of the Secretary of State, a statement showing the general course of study she proposes to follow, with a view to carrying out the objects of the scholarship granted to her; and the course approved must not be changed without the sanction of the Secretary of State.

(d) Every scholar shall, at the end of each term of residence at a university, submit to the Secretary for Indian students a certificate from the proper college or university authority, showing that her residence, conduct and progress in study have been satisfactory during the term.

(e) Every scholar shall at all times obey such instructions as she may receive from the Secretary of State either directly or through the Secretary for Indian students.

(f) Subject to a due compliance with the above conditions, the allowance, at the rate of £200 a year for three, four or five years, will be paid quarterly, in advance, by the India Office, commencing from the date of the scholar's reporting her arrival in England. The first payment will be £50. Three months after the date of reporting arrival the amount to the ensuing official quarter day will be paid. Subsequent payments will be made in advance, on or after each official quarter day. The allowance will be reduced by the amount of any other sum which may become payable to her out of the revenues of India in respect of residence at a university during the same period or any part of it, and also by the amount of any university or college bills, of which payment is made by the India Office.

(g) Travelling expenses, hotel bills, and charges for medical attendance are not defrayed by the Secretary of State.

(h) Every scholar will forfeit her scholarship who, not being disabled by illness or prevented by any other cause which the Secretary of State may consider sufficient, fails to complete a residence in England for the prescribed number of years of the scholarship according to the terms and conditions approved by the Secretary of State under (c) above, or who is guilty of misconduct or disregard of the instructions of the Secretary of State. If a scholarship be forfeited, or if it be resigned before completion of its term, or if a scholar on completion of the term of her scholarship declines to return to India when instructed to do so, the scholar will lose her claim to a free return passage to India, and will further become liable, at the discretion of the Secretary of State, to refund the cost of her free passage to England.

(i) At the expiration of her scholarship a scholar is provided by the India Office with a free second class passage to India. The scholar is not entitled to make her own passage arrangements and to claim an allowance in lieu thereof from the India Office without the special sanction of the Secretary of State. All communications on this subject shall be made to the Secretary for Indian students.

(j) Should the Secretary of State be advised that the state of a scholar's health is such as to render her return to India desirable, the scholarship may be terminated forthwith and a free return passage granted to the scholar.

ORDER.—Ordered, that a copy of this resolution be forwarded to all Local Governments and Administrations for information.

Ordered, also, that a copy be forwarded to the Finance / Home / Foreign Department for information, and that the resolution be published in the Supplement to the *Gazette of India.*

H. SHARP,

Joint Secretary to the Government of India.

Punjab Government Press, Lahore—25-7-13—965—850.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, AUGUST 1, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JULY 19, 1913.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 16th July, 1913.

No. 48.—In exercise of the power conferred by section 17 of the Indian Councils Act, 1861 (24 and 25 Vict., Cap. 67), the Governor General in Council is pleased to appoint Tuesday, the 9th September, 1913, at 11 A.M., as the time, and the Council Chamber in Viceregal Lodge, Simla, as the place, for a meeting of the Council of the Governor General for the purpose of making Laws and Regulations.

W. H. VINCENT,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 15th July, 1913.

No. 1349.—The services of Rai Sahib Nathu Mal, Extra Assistant Commissioner, Ferozepore, are placed at the disposal of the Chief Commissioner of Delhi, with effect from the date on which he relinquishes charge of his present duties under the Government of the Punjab.

POLITICAL.

The 16th July 1913.

No. 384.—In pursuance of the notification of the Governor General in Council, No. 1008, dated the 1st October 1912, issued in accordance with the provisions of section 3 of the Delhi Laws Act, 1912 (XIII of 1912), and in exercise of the powers conferred by section 12 of the Indian Press Act, 1910 (I of 1910), the Governor General in Council is pleased to declare the pamphlet entitled "Come over into Macedonia and help us," published by "Le Comite de Publication D. A. C. B.," 15, Rue Djagal Oglou, Constantinople, to be forfeited to His Majesty, on the ground that the said pamphlet contains words and illustrations which are likely to bring into hatred or contempt certain classes of His Majesty's subjects in British India.

H. WHEELER,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 16th July, 1913.

No. 34.—Mr. R. H. Tickell, Superintending Engineer, 1st Class, Punjab, is permanently transferred to the Central Provinces, and is appointed to officiate as a Chief Engineer with effect from the 11th July 1913 in the vacancy caused by the retirement of Mr. G. M. Harriott, C.S.I., C.I.E., V.D., Chief Engineer and Secretary in the Public Works Department to the Honourable the Chief Commissioner, Certral Provinces.

R. P. RUSSELL,

Offg. Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATIONS.

CUSTOMS.

Simla, the 16th July, 1913.

No. 5632.—In exercise of the power conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India of any copy of the pamphlet entitled "Come over into Macedonia and help us," published by "Le Comite de Publication D. A. C. B.," 15, Rue Djagal Oglou, Constantinople.

INSURANCE.

The 19th July, 1913.

No. 5555-97.—In exercise of the powers conferred by sections 27 and 39 of the Indian Life Assurance Companies Act, 1912, the Governor General in Council is pleased to make the following rules :—

Short title.

1. These rules may be called the Indian Life Assurance Companies Rules, 1913.

Definitions.

2. In these rules, unless there is anything repugnant in the subject or context,—

(*a*) "the Act" means the Indian Life Assurance Companies Act, 1912;

(*b*) "Company" means a Life Assurance Company to which the Act applies:

(*c*) "dividing society business" means life assurance business under which the amount payable on the policy money becoming due is not fixed but depends either partly or wholly on the results of the division of any portion of the premium income or funds amongst the policies which have become due for payment in proportion to the premiums received under each class in any specified period.

Qualifications of Actuaries under the Act.

3. (*1*) Any person who, as an Actuary, investigates the financial condition of a Company or signs valuation returns of a Company shall be either—

(1) a Fellow of the Institute of Actuaries, London, or a Fellow of the Faculty of Actuaries in Scotland; or

(2) where application is made by a Company and where, in the opinion of the Governor General in Council, special circumstances exist,—

(*a*) an Associate of such Institute of Actuaries or of such Faculty of Actuaries; or

(*b*) such other person having actuarial knowledge as the Governor General in Council may authorize to be employed to perform the duties of an Actuary.

(*2*) Every application by a Company for permission to employ as an Actuary any person other than a Fellow of the Institute or Faculty of Actuaries shall state the work for the performance of which such person is required, and the Governor General in Council, if he grants the application, shall cause a certificate to be issued to the Company permitting, subject to such conditions and restrictions as he thinks fit, the employment of the person mentioned in the application.

Accuracy of particulars.

4. An Actuary when investigating the financial condition of a Company shall either satisfy himself as to the accuracy of the particulars extracted from the books or require a certificate of their accuracy from the Manager and one other responsible officer of the Company.

Particulars to be given in report of Actuary.

5. An Actuary, after investigating the financial condition of a Company, shall report—

(*a*) whether the calculations are correct and made on the principles which are contained in the statement furnished under the Fourth Schedule to the Act;

(*b*) whether these principles have his approval;

(*c*) whether he has obtained all the information and explanations that he has required;

(*d*) what adjustment was used in the valuation to allow for unequal incidence of the premium income, and for premiums payable more often than once a year ;

(*e*) the method by which both the ages at entry and the ages at valuation were arrived at ;

(*f*) the rate at each age of the mortality assumed and of the annuity values used in the valuation where the tables employed are not published ;

(*g*) whether all negative values were eliminated from the valuation ; and

(*h*) the reserve values held against policies effected at ages 20, 30, 40 and 50 and which have been in force for 1, 2, 3, 4, 5, 10, 15 and 20 years, respectively, in respect of—

(*i*) Whole Life Assurances with premiums payable throughout life ;

(*ii*) Whole Life Assurances with premiums payable for 20 years ;

(*iii*) Endowment Assurances payable at age 60 or previous death.

Further particulars in case of Company not in a position to distribute surplus.

6. In the event of the Actuary finding that the financial condition of the Company is such that, in his opinion, no payment should be made either of bonus to policy-holders or of dividend to members, he shall state whether or not he finds the Company to be solvent. If he finds it to be insolvent—

(*a*) he shall state whether he considers that the Company could be made solvent as regards existing contracts by the transfer of its subscribed capital (whether paid or unpaid) to make good the deficiency in the life assurance fund. If so, he shall state what in his opinion is the amount so required, and whether or not any alteration should be made in the rates of premium for future entrants ;

(*b*) if he considers that the Company cannot be made solvent as regards existing contracts by the transfer of the whole of the subscribed capital to the credit of the life assurance fund, he shall state what proportion of the sum assured the Company would, in his opinion, be able to meet under such contracts, if all the premiums thereunder were reduced proportionately with the sum assured, and all subscribed capital were fully paid up and transferred to such fund.

Paid-up capital not to be treated as assets.

7. Companies transacting life assurance and annuity business only may include in the life assurance revenue account the paid-up capital and all the other funds of the Company such as Investment Reserve Fund, Dividend Reserve Fund, Sinking Fund, etc., stated separately both at the beginning and at the end of a year, so as to show any increase or diminution in such individual funds during the year ; but although paid-up capital may be shown along with the funds in this way, it shall not be treated as part of the Company's assets for the purpose of showing a divisible surplus at the time of any actuarial investigation of the financial condition of the Company.

Dividing society business.

8. Every Company transacting dividing society business shall show in its accounts both the premium income and the claims of each class of such business separately from the premiums and claims of the other classes of business transacted by the Company.

Separate Revenue Account.

9. A Company may submit a separate Revenue Account similar to the Life Assurance Account, in addition to forms A, B and C of the First Schedule, for any class of business which it transacts, such for instance, as dividing society business.

Policies not qualifying for full benefits.

10. If any class of policy is not qualified for full benefits until after the first year or other stated period, the premium income of that class shall be separated accordingly in the accounts. In the case of a Company having more than one qualifying period for any such business, the premium income shall be shown separately for each qualifying period.

Audit of accounts of Companies not subject to law of British India regarding registration of Companies.

11. The accounts of every Company not subject to audit in accordance with the provisions of any law for the time being in force in British India regarding the registration of Companies shall be audited in accordance with that law.

Additional particulars in case of Companies to which Act applies.

12. Every auditor auditing under the Act the accounts of a Company shall state the following additional particulars in his report—

(*a*) whether or not he has personally verified the whole of the investments with the securities and other vouchers and is satisfied as to their correctness;

(*b*) any other matters that he considers should be brought to the notice of the members or policy-holders of the Company.

Deposit of copies of documents.

13. Copies of the documents mentioned in section 14 of the Act shall be deposited at the head office and the principal branch office in each province in which the Company transacts business for the inspection of any member or policy-holder of the Company.

Fees.

14. Copies of all documents deposited with the Governor General in Council under the Act shall be kept by the Registrar of the province in which the head office in British India of the Company is situate, and shall be open to inspection on payment of a fee of one rupee; and any person may procure a copy of any such document or any part thereof on payment of a fee of six annas for every hundred words or fractional part thereof required to be copied.

Translation of documents.

15. If any portion of any document required to be deposited under the Act is not in the English language a translation thereof, certified by a responsible officer of the Company to be correct, shall be furnished along with each copy deposited with the Governor General in Council.

Form of notice under section 19.

16. Notice under section 19 of any alteration in—

(*a*) the charter, statute, or memorandum and articles or other instrument constituting or defining the constitution of a Life Assurance Company constituted outside British India, or

(*b*) the list of directors of such Company, or

(*c*) the names and addresses of persons resident in British India authorized to accept on behalf of such Company service of process and any other notices required to be served by the Act,

shall, within three months from the date upon which such alteration was effected, be filed with the Registrar, in the Form annexed.

Form referred to in Rule 16.

(For Companies constituted outside British India.)

Pursuant to section 19 of the Indian Life Assurance Companies Act, 1912, notice is hereby given by the ______________________ Company constituted in ______________ and which has established a place of business / has appointed an agent to obtain life assurance business at ______________________ in British India of the following alterations in the ______________________

Signature

(Of the person or persons authorized under section 19 (1) (*c*) of the Indian Life Assurance Companies Act, 1912, or of some other duly authorized agent of the Company in British India.)

Date

NOTE.

Where an alteration has been made in the charter, statute or memorandum or articles of association of a life assurance company constituted outside British India or in any other instrument constituting or defining the constitution of such company, this notice must be accompanied by a certified copy of the resolution, order, deed or instrument effecting the alteration and, if the same is not in the English language, by a certified translation thereof.

J. F. GRUNING,

Offg. Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICE.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language who are desirous of obtaining competent teachers :

ALLAHABAD.

1. M. Jawala Prasad, I ... ... Kasauli Hills. The Royal Scots Regiment, Sudder Bazar, Allahabad.
2. M. S. C. Bagchi ... ... Government Observatory, Allahabad.

AMBALA.

3. M. Mohd. Miyan Khan ... ... Sudder Bazar, Ambala.
4. M. Mohd Akbar Khan ... ... The Oriental Lodge, Ambala.
5. M. Jawala Prasad, II ... ... B. I. Bazar, Ambala.

AMRITSAR.

6. M. Mohd. Ishaq ... ... Khazana Gate, Amritsar

CALCUTTA.

7. M. Mohd. Gholam Kibriya ...	... 17, Noorallah Doctor's Lane, Calcutta.
8. M. Badruddin Ahmed, B.A. ...	... 8, Mawlavi Imdad Ali's Lane, Calcutta.
9. M. Hossain Mirza ...	... 1. Syed Ismail Lane, Calcutta
10. M. Mohd. Israil Khan ...	... 15, Karaya Road, Balligunge, Calcutta.
11. M. Syed Nawab Ali ...	... 11, Colootola Street, Calcutta.
12. M. Wahidun Nabi Khan ...	... 88/1, Baitakkhana Road, Calcutta.
13. M. Mohd. Abdul Hamid ...	... 152, Harrison Road, Calcutta.
14. M. Daliluddin Ahmed ...	... 28/1, Kimber Street (Karaya), Calcutta.

DINAPORE.

15. M. Syed Hadi Hussain ...	... Orderly Bazar, Dinapore.

JHELUM.

16. M. Thakur Das Pahwa ...	... Officers' Munshi, Jhelum.

KASAULI.

17. M. Anand Sarup	... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt, Kasauli.

LAHORE CANTT.

18. M. J. Kishori Lal ...	... R. A Bazar, Lahore Cantt.
19. M. Sham Lal Bhargava ...	... Dangar Street, Sudder Bazar, Lahore Cantt.

LUCKNOW.

20. M. Abdul Alim	... Near the Police Post, Husaingunge, Lucknow.
21. M. Mohd. Yaqub Khan ...	... Near Royal Hotel, Lucknow.

MURREE HILLS.

22. M. M. C. Saighal	... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

NOWSHERA.

23. M. Muhammad Din	... Pay Havildar and Head Clerk, 23rd Peshawar Mountain Battery, F. F.

PESHAWAR.

24. M. Bodh Raj	... Royal Sussex Regiment (or Sudder Bazar), Peshawar.
25. M. Ahmad Din ...	... 81, Cantonments, Peshawar.

RAWALPINDI.

26. M. Ghulam Muhiuddin ...	... R. A. Brigade Munshi, Rawalpindi.
27. M. Ghulam Rasul... ...	... Sudder Bazar, Rawalpindi.
28. M. Fazal Ahmed	... Persian House, Rawalpindi.

ROORKEE CITY.

29. M. Fazl-i-Haq	... Mahalla Satti, Roorkee City.

SUBATHU.

30. M. Gulzar Lal	... South Lancashire Regiment, Subathu.

In addition to the above, the following, who were examined in Urdu previous to the institution of the examination mentioned in the above India Army Order, are also, in the opinion of the Board of Examiners, qualified to teach :

CALCUTTA.

1. M. Mohd. Arif	... 12, Harinbari Lane, Calcutta.
2. M. Syed Abu Zafar ...	... 36, European Asylum Lane, Calcutta.
3. M. Reza Ali Wahshat, M.R.A.S.	... 14, Karaya Road, Balligunge, Calcutta.
4. M. Badru-z-Zaman ...	... 29, Ice Factory Lane, Entaly, Calcutta
5. M. Abdul Badi	... 5, Ramsanker Roy's Lane, Calcutta.
6. M. A. M. F. Wahhab ...	... Librarian, Calcutta Madrasah, Calcutta.
7. M. Habibun Nabi Khan Saulat	... 89, Jhowtollah Road, Balligunge, Calcutta.
8. M. Akmal Ali Akmal ...	... 9, Dr. Karam Hossain's Lane, Calcutta.
9. M. Abdul Karim Nashter ...	... 1, Jhowtollah Lane, Balligunge, Calcutta.
10. M. Mohd. Yusuf Khan ...	... 15, Karaya Road, Balligunge, Calcutta.

N.B.—It is requested that Munshis who have passed this examination and whose names do not appear above, should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," JULY 19, 1913.

No. 1004-1021-I.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

CIVIL WORK.

Irrigation.

Simla, the 11th July, 1913.

Review of Irrigation in India in 1911-12.

Classification of Irrigation Works.

Irrigation Works in India are divided into two main classes, *viz.*, major and minor works. Major works are sub-divided into—

(*a*) Productive public works, the capital of which is usually provided from borrowed money.

(*b*) Protective works, designed as a protection against famine, the capital of which is provided from current revenues, and is usually met from the annual grant under Famine Relief and Insurance.

Capital and revenue accounts are kept for all major works.

Minor works are constructed from funds provided also out of the current revenues of India, and, broadly speaking, consist of irrigation systems which are not sufficiently important to treat as major works. Some of them are old works constructed by the former rulers of this country, and extended or restored by the British Government; some are works which have been constructed by the British Government; others, again, are village works originally provided by private or communal effort, the control of which the State has been obliged to assume owing to disputes between the parties interested or their inability to maintain the efficiency of the works.

Capital and revenue accounts are maintained for the more important minor works, but for those on which the capital outlay has not exceeded half a lakh of rupees revenue accounts only are, as a rule, maintained. There is a third class of minor works, consisting for the most part of small tanks, for which neither capital nor revenue accounts are kept. These exist principally in the Madras Presidency.

Productive Public Works.

2. Productive public works are expected within 10 years after the probable date of their completion to yield sufficient revenue to pay their working expenses and the annual interest calculated at 4 per cent. on the capital invested. No project is now sanctioned as a productive public work unless it can be shown beyond reasonable doubt that when fully developed it will fulfil these conditions. This standard was not attained in the case of the earlier irrigation projects and thus it has happened that several large irrigation works which were financed from borrowed capital, are not remunerative. There are 13 such works, *viz*, four in Bengal,* seven in the Deccan and Gujarat, and two in Madras. They are still retained on the list of productive works, but expenditure against their capital account is now charged against the current revenues of India. The total accumulated losses on these 13 works have reached the sum of 11 crores. But though they have proved financial failures in the ordinary commercial sense, they have been indirectly of great value in securing large areas of cultivation against the vicissitudes of the seasons.

3. The remaining works in operation, 42 in number, satisfy productive conditions. These works collectively paid during the year 11·10 per cent. on their capital outlay; while after paying interest charges, the surplus revenue, which they had contributed to the general revenues of the country up to the end of 1911-12, amounted to over 40½ crores of rupees against 32 crores, the capital invested on them. The financial results, the area irrigated and the mileage in operation for all productive public works in operation are shown separately by provinces in Statement I.

*As this return relates to a period antecedent to the creation of the province of Bihar and Orissa, the canals of that administration are shown against Bengal in this report.

4. During the year under review the total area irrigated by all the productive public works, including branches in Native States of the Punjab, amounted to 15,579 574, acres. Towards this total the Punjab canals contributed nearly 7½ million acres, Madras 3½, the United Provinces 2¼, and Sind 1 million acres. In Bengal an area little short of 9,00,000 acres was attained. The return on capital is highest in the Punjab, where the canals yielded 16·13 per cent. The next province in this respect is Madras, where a return of 13·47 per cent. was realised, excluding the Karnool and Batur systems referred to in paragraph 2, expenditure on which is charged to revenue. In the United Provinces and Sind the returns realised were 6·98 per cent. and 4·18 per cent., respectively. Details regarding other provinces and administrations will be found in Statement I. The return on productive works as a whole was 8·80 per cent. on the capital outlay. Areas irrigated, and return realised by productive works.

5. The importance of productive works may be gauged roughly by the value of the crops which are produced by their agency. In the year under review the estimated value of the crops irrigated by works of this class amounted to nearly 55 crores of rupees, or about 12½ crores more than the capital expenditure incurred on them.

6. There were in operation in the year under review 30 protective works which together irrigated a total of 325,378 acres. The most important works are the Ramtek reservoir in the Central Provinces, the Betwa and Ken canals in the United Provinces, the Rushikulya in Madras, and the Nira and Godavery systems in the Bombay Presidency. A number of small but interesting tank works are to be found in the Central Provinces. They were sanctioned as experimental works, in accordance with the recommendations of the Irrigation Commission, in order to test how far the people were willing to resort to irrigation for the maturing of their crops and what water rates they were prepared to pay. The results obtained are gratifying, and show that the people are beginning to realise the great advantages of irrigation. Protective works.

7. There were 103 works so classed in 1911-12, the majority of which are in Bombay and Madras. Ten are purely navigation works. The net revenue paid by works of this category amounted to Rs. 29,52,228 (excluding navigation canals) or a return of 7·71 per cent. on the capital outlay against 7·93 per cent. in the previous year. Nearly all the minor works in Sind return exceptionally high percentages; but as some large projects, with which it is intended to amalgamate many existing works, are under consideration, their transfer to the major works class has been postponed for the present. Minor Works. Works for which capital and revenue accounts are kept.

Excluding the area shown under Burma, *viz.*, 471,634 acres, which is not under actual irrigation, but represents the area of cultivation on lands reclaimed by river flood embankments, the area irrigated by minor irrigation works during 1911-12 was 1,344,675 acres against 1,457,198 acres in the previous year.

Statement III gives particulars of individual works.

8. There are numerous works which maintain only revenue accounts. They are credited with a share of the land revenue depending on their maintenance and are debited with all expenditure incurred on construction, extension, improvements and maintenance. During the year reviewed these works irrigated an area of more than 2¼ million acres and returned a net revenue of Rs. 28,50,113. Works for which only revenue accounts are kept.

9. As explained in the opening paragraph of this review, practically all the works of the class which have neither capital nor revenue accounts are situated in the Madras Presidency. They include over 28,000 tanks and 6,000 irrigation channels, the improvements and repairs of which are executed by the Public Works Department, or, in the case of the smaller works, by civil officers. The areas irrigated by works of this class in 1911-12 aggregated 3,250,191 acres. The area irrigated in 1910-11 was 3,589,940 acres. Works for which neither capital nor revenue accounts are kept.

10. In the Punjab the total rainfall of the year was much below normal throughout the Province and there was consequently a keen demand for canal water. Timely rainfall enabled a large kharif area to be sown, but the crops were considerably damaged by locusts at the beginning of the season. At the end of September there was heavy and general rainfall and an abnormally large rabi crop was sown which, owing to the absence of rain later in the season, had to be matured by canal water. Heavy floods did considerable damage to the head works of the Lower Chenab Canal. The total area irrigated by major works including those of Native States was 7,469,645 acres, of which 7,000,771 acres were matured as against 6,270,757 and 5,892,842 acres respectively during 1910-11. Irrigation results in the various provinces.

The increase was mainly on the perennial canals and was generally attributable to the fact that the rainfall, which though favourable during the sowing season, either failed or was much below normal at the other critical periods. The result was that canal water was taken to mature a large area which had been sown with the help of rain.

On the Sirhind canal including Native States the abnormally large increase of irrigation from 843,467 acres to 1,609,458 acres was undoubted testimony to the efficiency of the remodelling of the distributary systems carried out in the years 1906—1908. The Lower Chenab Canal continues to show a record of remarkable progress. It served 2,334,090 acres—an area exceeding the combined irrigation of the productive systems in the United Provinces—and earned a gross revenue of more than 127½ lakhs. The net revenue realized from this canal was equivalent to 34·06 per cent. on the capital outlay. New settlement operations were completed in certain districts of the canal and owner's rate was abolished as a separate direct charge and new enhanced land revenue rates were imposed in these districts.

Surveys in connection with the project for the utilization of the surplus waters of the Sutlej river were completed early in the year. Good progress continues to be made with the great triple project. The Upper Chenab Canal was opened for irrigation in April 1912, and the Lower Bari Doab Canal a year later. These canals do not appear in Statement I, for the reason that they earned no revenue during the year 1911-12. The third link in this system, the Upper Jhelum Canal, is not expected to be opened until 1915.

11. In the United Provinces both seasons of the year were quite abnormal. The kharif was very dry and demand for canal water was intense. The year's rainfall was below the average and occurred chiefly in the second half of August with heavy downpours in the last few days of September. This late heavy rain enabled a very large area to be sown with rabi crops without artificial irrigation, and subsequent well-distributed rain throughout the winter months rendered canal irrigation hardly necessary.

In spite of the keen and prolonged demand during kharif, the supplies were generally sufficient, except in some divisions in July and August and especially on the Eastern Jumna Canal. The total area irrigated was below the average. This deficiency was chiefly due to the very small area of rabi crops irrigated, although the kharif area was one of the highest on record. The total assessments of the year amounted to 10 0 lakhs or 3 lakhs more than in 1910-11.

12. In Madras the average rainfall during the year was below normal. The south-west monsoon was not favourable, but the north-east monsoon was generally good. The area under protective works remained very nearly stationary while there was a considerable increase in the area irrigated by productive works in spite of the generally unfavourable character of the season.

13. In Sind the rainfall is usually negligible and cultivators are therefore obliged to depend almost entirely upon canal irrigation. The canals, being of the inundation class, are in turn dependent upon the height and duration of the floods in the Indus during the irrigating season. The inundation season of 1911 opened well, but the promise of good floods remained unfulfilled. During July, August and September, the time when the demand for water is greatest and when the most copious supply is usually obtained, the river level was low both above and below Sukkur. The inundation level at Kotri, however, was comparatively good. The rainfall of the year was also much below the normal, and was of practically no help to cultivation. The general result has been a reduction in irrigation of 468,306 acres and in net revenue of Rs. 6,37,475 as compared with the results of the previous year.

14. In Bombay (Deccan and Gujarat) the irrigation works are limited in scope compared with those of other provinces. The abnormal scantiness of the rainfall was particularly marked in Gujarat, where the fall was only about one-third of that of the previous year. There was no irrigation under the Khari Cut system, and nearly all the tanks remained dry in the Northern Division. There was scarcity throughout Northern Gujarat, and actual famine in the Panch Mahals. In the Deccan, however, the deficiency of rain was not so great, the fall being about half the average. Consequently there was a great demand for irrigation and on the Nira Canal the revenue derived was the highest on record, this being due partly to the large area of sugarcane cultivation and partly to enhanced rates. However, on the bandhara system in Nasik, the scantiness of the water-supply involved the granting of heavy remissions of revenue. In the Southern Division the result was similar.

On the whole there was an increase of 6,837 acres irrigated and Rs. 53,203 net revenue realized, which was due to the fact that a length of 54 miles of the new Godavari Right Bank Canal was brought into operation during the year under review.

15. In Bengal, the Hijili Tidal Canal is used purely for navigation purposes; the three other canals of the productive class, *viz.*, the Midnapore, the Orissa and the Sone, are also so utilized, but they are primarily intended for irrigation. The two last-named systems have since 1st April 1912 been transferred to the administration of the Government of Bihar and Orissa. On the Orissa canals the rainfall of the year was below the normal and not well distributed, and consequently the demand for canal water was great. On the other two canals there was good and seasonable rainfall throughout the kharif season.

The area irrigated by the Midnapore, Orissa and Sone systems was 865,500 acres or some 26,500 acres short of the area of the previous year. The financial results of these works do not fulfil productive conditions, but the estimated value of crops raised on the area irrigated by them amounted to over 3¼ crores of rupees, a sum which is more than half of the total capital cost of the works.

16. In Burma the rainfall of the year was favourable and up to the average in some districts, while in others it was either below the normal or so unevenly distributed as to be of little benefit to cultivation. The large canals and the smaller ones that are fed from perennial streams did well, while those minor works that are dependent on the rainfall for their supply gave generally very poor results. During the year under review there were no serious outbreaks of cattle disease, nor was there any agricultural depression such as interfered with the operations of the previous year. The area irrigated by productive works amounted to 205,843 acres as compared with 175,573 acres in the previous year.

17. The rainfall in the North-West Frontier Province was not so favourable as in the previous year. The agricultural and other conditions were however fair. The supply in the Swat river was sufficient and the demand was keen owing to scanty rainfall during the kharif season. The irrigated area was up to the average of previous years.

18. The following table summarises the results of irrigation works for all India during 1911-12 in comparison with those of the two previous years :— **Summary of irrigation results.**

Results of irrigation works in operation in India.

Class of work.	Capital outlay to end of the year on works in operation.	Gross revenue during the year.	Net revenue during the year.	Percentage of net revenue of capital outlay to end of year.	Net profit during the year; *i.e.*, net revenue less interest charges.	Area irrigated.
	Rs.	Rs.	Rs.	Per cent.	Rs.	Acres.
I.—Productive ...	43,81,49,546	5,75,02,419	3,85,78,827	8·80	2,49,16,524	15,579,574
II.—Protective ...	5,67,41,166	10,91,750	3,87,330	0·68	—13,84,612	325,378
III.—Minor works for which capital and revenue accounts are kept (including works under construction).	6,35,78,799	50,57,810	30,76,456	4·84	...	1,816,309
IV.—Minor works for which only revenue accounts are kept.	...	63,49,767	28,50,118	...	...	2,315,602
V.—Works for which neither capital nor revenue accounts are kept.	...	97,07,912	56,18,793	...	...	3,250,191
Total 1911-12 ...	55,84,69,511	7,97,09,658	5,05,11,524	(*a*) 7·53	...	23,287,054
Total 1910-11 ...	53,06,04,971	7,66,71,953	4,68,34,346	(*a*) 7·17	...	22,519,090
Total 1909-10 ...	51,54,19,486	7,45,74,627	4,55,48,146	(*a*) 7·37	...	22,415 748

(*a*) Percentage calculated on works of classes I, II and III.

The total area irrigated was 23 million acres, while the value of the crops raised is roughly estimated at Rs. 68½ crores.

Outlay in 1911-12.

19. The sub-joined table exhibits the outlay incurred by the State during the year 1910-11 on all classes of irrigation works :—

	Capital outlay (direct charges).	Minor additions, maintenance, and working expenses (direct charges).
	Rs.	Rs.
Works under construction.		
Productive	1,95,47,395	12,28,083
Protective	43,91,029	54,972
Minor	9,71,715	[illegible]
Total ...	2,49,10,139	[illegible]
Works in operation.		
Productive	36,58,148	[illegible]
Protective	10,00,124	[illegible]
Minor	13,441	[illegible]
Total ...	46,71,713	[illegible]
Works under classes IV and V	...	[illegible]
Grand Total ...	2,95,81,852	[illegible]

Comparison of total cropped area in various provinces with are irrigated.

20. A comparison of the acreage of crops matured by means of the Government irrigation systems, with the total area under cultivation in the several provinces, is given below :—

Province.	Net area cropped.	Area irrigated by Government irrigation works.	Percentage of irrigated area to total cropped area.	Capital cost of Government irrigation works to end of 1911-12, in lakhs of rupees.	Estimated value of crops raised on areas receiving State irrigation, in lakhs of rupees.
	Acres.	Acres.	Per cent.		
Burma	13,740,000	1,130,000	8·2	204	[illegible]
Bengal	32,885,000	915,000	2·8	883	[illegible]
United Provinces of Agra and Oudh	35,000,000	2,442,000	6·9	1,167	[illegible]
Ajmer-Merwara	359,000	19,000	5·3	35	[illegible]
Punjab	21,486,000	7,703,000	35·8	1,168	[illegible]
North-West Frontier	2,689,000	225,000	8·4	63	[illegible]
Sind	4,113,000	2,765,000	67·2	314	[illegible]
Bombay Deccan	25,351,000	289,000	1·1	415	114
Central Provinces (excluding Berar)	17,746,000	28,000	0·16	82	[illegible]
Madras	37,380,000	7,125,000	19·06	1,082	[illegible]
Baluchistan	Not known ...	4,000	...	29	[illegible]

21. The statement below contains a list of the irrigation systems in the several provinces and administrations in India which were completed in or since the year 1900-1901:— Irrigation works completed since 1900-01.

Province.	Name and class of work.		Total direct cost to end of 1911-12.	Irrigable area.	Principal crops that can be produced.
			Rs.	Acres.	
Bombay ...	Kadwa river works ...	Productive ...	9,71,741	32,723	Wheat, sugarcane and ground nuts.
	Chankapur tank project ...	Protective ...	16,34,842	15,000	Wheat and gram.
	Pathri tank project ...	Minor ...	6,26,665	2,500	Millets.
	3 small tank projects ...	Do. ...	6,99,228	6,325	Wheat, rice and gram.
Sind ...	Jamrao canal ...	Productive ...	80,89,913	300,000	Cotton, millets and wheat.
	Nasrat canal ...	Do. ...	18,28,491	104,100	Cotton, millets and oil-seeds.
	Dad canal ...	Do. ...	23,61,107	145,400	Ditto.
	2 small canals ...	Minor ...	4,63,949	53,757	Rice and millets.
Bengal ...	Dhaka canal ...	Protective ...	6,52,664	6,387	Rice.
United Provinces	Ken canal ...	Do. ...	46,26,337	120,000	Rice, wheat and gram.
Burma ...	Mandalay canal ...	Productive ...	52,17,409	59,115	Rice.
	Shwebo canal ...	Do. ...	56,52,639	151,734	Do.
Central Provinces	11 small tank projects ...	Protective ...	20,19,994	34,634	Do.
North-West Frontier Province.	Paharpur canal ...	Productive ...	9,05,444	41,688	Wheat and millets.

Works sanctioned or under construction.

Sanctioned works.

22. Statements I and II appended to this review leave out of account the produ and protective works that are now in course of construction, except the few that have rea such an advanced stage of construction as to have begun irrigation. In the two succee statements particulars are given of such works, as well as of the more important proj which are under investigation :—

Province.	Name and class of work.		Estimated cost, direct and indirect.	Expenditure to end of the year 1911-12, direct and indirect.	Irrigable area in acres.	Districts benefited.	Principal crops th will be produced.
			Rs.	Rs.			
Punjab.	Lower Jhelum canal* ...	Productive	1,89,63,988	1,61,61,606	766,182	Gujrat, Jhang and Shahpur.	Wheat, cotton a seeds.
	Upper Chenab canal† ...	Do.	3,73,57,024	2,72,16,776	648,367	Sialkot, Gujranwala, Lahore and Montgomery.	Wheat, maize, m cotton and oil-see
	Upper Jhelum canal ...	Do.	4,39,96,559	2,56,85,034	344,960	Gujrat ...	Wheat, cotton a seeds.
	Lower Bari Doab canal‡...	Do.	2,23,28,402	1,21,33,126	877,908	Montgomery and Multan.	Wheat, maize, and grain.
N.-W. F. Province.	Upper Swat River canal...	Do.	1,82,40,248	85,83,239	381,562	Peshawar ...	Wheat, barley and
United Provinces.	Permanent Head Works, Upper Ganges canal.	Do.	25,83,499	Not yet commenced.	86,166	Saharanpur, Muzaffarnagar, Meerut, Bulandshahr, Aligarh, Muttra, Agra, Etah and Mainpuri.	Sugarcane, wheat ton.
	Ghaggar canal ...	Protective	35,04,454	Do.	63,000	Central up-lands of Mirzapur.	Rice and wheat.
Central Provinces.	Weinganga canal ...	Productive	38,03,204	84,310	78,965	Balaghat and Bhandara.	Rice.
	Mahanadi canal ...	Do.	99,30,217	1,53,253	360,000	Raipur ...	Rice.
	Tandula canal ...	Protective	99,98,807	11,33,863	263,412	Drug	Rice.
	Chorkhamara tank project.	Do.	8,65,484	Not yet commenced.	18,000	Bhandra ...	Rice.
	Badalkhassa tank project	Do.	6,57,288	Do.	15,556	Bhandara ...	Rice.
	Asola Mendha canal* ...	Productive	17,97,578	11,72,337	60,000	Chanda ...	Rice and wheat
	Ramtek reservoir* ...	Protective	29,07,858	27,55,451	48,000	Nagpur and Bhandara.	Rice and wheat
Madras.	Mopad reservoir ...	Do. ...	21,51,000	5,69,088	12,500	Nellore ...	Rice.
	Divi pumping scheme* ...	Productive	19,98,000	18,45,437	50,000	Kistna ...	Rice.
	Nagavalli reservoir* ...	Do. ...	18,16,300	14,99,695	23,814	Vizagapatam ...	Rice.
Bombay Deccan.	Nira Right Bank canal...	Protective	2,57,72,499	Not yet commenced.	258,000	Satara and Sholapur	Jowar, wheat, gr nuts, gram, and s cane.
	Pravara River canal* ...	Do. ...	76,10,826	15,75,079	60,379	Ahmednagar ...	Gram and jowar
	Godaveri canal* ...	Do. ...	95,61,044	76,77,554	175,600	Nasik and Ahmednagar.	Bajri and wheat
	Budhihal tank ...	Do. ...	14,54,611	5,07,392	6,226	Sholapur ...	Sugarcane and w
Bombay (Sind).	Mahiwah canal* ...	Productive	15,17,356	14,36,873	65,950	Shikarpur ...	Wheat and millet
Bengal ...	Tribeni canal ...	Protective	75,27,302	61,22,063	114,000	Champaran ...	Rice.
Burma.	Môn canals ...	Productive	54,81,022	53,11,895	68,000	Minbu ...	Rice.
	Ye-u canal ...	Do. ...	50,54,752	12,75,731	108,294	Shwebo ...	Rice.
	Twanté canal ...	Do. ...	72,80,973	16,00,292	...	Hanthawaddy ...	A navigation w

*In operation. †Opened in April 1912. ‡Opened in April 1913.

Besides the above, a number of irrigation ...

Province.	Name and probable classification of work.		Estimated or approximate direct cost, in lakhs of rupees.	Irrigable area, in acres.	Districts benefited.	Principal crops that will be produced.
Madras ...	Cauvery reservoir project	Productive ...	370	473,000	Tanjore	Rice.
	Kistna reservoir project	Do. ...	800	735,000	Kistna and Guntur ...	
	Lower Bhavani ...	Do. ...	109	109,200	Coimbatore ...	
	12 smaller schemes ...	Mainly protective.	347	357,000	Ganjam, Nellore and Salem.	
Bombay ...	Gokak canal project ...	Protective ...	182	132,000	Belgaum, Bijapur and the Native States of Kolhapur, Mudhol, Jamkhandi and Sangli	Sugarcane, rice, wheat, barley, bajri and jewar.
Sind ...	Rohri canal and Sukkur barrage.	Productive ...	762	2,324,000	The whole Left Bank Division comprising three Revenue districts, *viz.*, Nawabshah, Hyderabad and Thar and Parkar.	Cotton, wheat and rice.
	Baghar canal ...	Do. ...	34	137,800	Karachi	Rice and bajri.
	Sultanwah, Begari canal	Do. ...	16	177,700	Sukkur and Upper Sind Frontier.	Rice, juari, bajri, wheat and oil-seeds.
Bengal ...	Damodar canal ...	Do. ...	36	150,000	Burdwan	Rice.
	Extension of the Tribeni canal.	Protective ...	10	25,000	Champaran	Rice.
United Provinces ...	Belan canal ...	Do ...	14	30,500	Khairagarh Pargana, Allahabad district.	Rice and wheat.
United Provinces and Punjab.	Sarda-Ganges-Jumna feeders projects.	Productive ...	646	1,524,000	*In the United Provinces*:— Rampur State, Pilibhit, Shahjahanpur, Hardoi, Bareily, Moradabad, Budaun, Saharanpur, Muzaffarnagar, Meerut Bulandshahr, Aligarh, Muthra, Agra, Etah, Mainpuri, Farrukhabad, Etawah, Cawnpore, Fatehpore and Allahabad. *In the Punjab*:— Gurgaon, Karnal, Delhi, Rohtak, Hissar, Patiala, and Jhind States.	All the principal rabi and kharif crops grown in the United Provinces.
Punjab ...	Sutlej Valley project ...	Do. ...	875	3,000,000	Lahore, Ferozepore, Montgomery, Multan, Bikaner and Bahawalpur States.	Wheat, gram, jowar and cotton.
Burma ...	Remodelling the Kinda canal.	Do. ...	15	85,000	Kyaukse	Rice.
Central Provinces ...	Pangoli Nalla tank project.	Protective ...	16	33,000	Bhandara	Rice.
Baluchistan ...	Anamber reservoir project	Productive ...	38	80,000	Loralai	Wheat and barley.
	Torwal reservoir project	Do. ...	18	44,000	Loralai	Wheat and barley and Indian corn.
	Gamboli reservoir project	Do. ...	60	218,000	Sibi	Wheat, barley and Indian corn.
				[illegible]	Zhob	Wheat, barley and

Capital outlay in decade ending 1911-12.

23. In the following statement is shown the capital outlay incurred on irrigation works during the decade 1902-03—1911-12 :—

Province or Administration.	1902-03.	1903-04.	1904-05.	1905-06.	1906-07.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.	Total.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Bombay ...	22,71,384	17,63,165	8,80,398	7,73,029	7,05,986	15,23,692	20,16,804	27,72,383	24,79,153	27,00,526	[illegible]
Madras ...	13,45,979	14,79,980	16,32,794	18,68,586	24,69,512	15,43,792	13,53,243	11,50,966	9,34,252	5,82,289	[illegible]
Bengal ...	7,72,955	8,76,191	7,46,197	10,75,643	11,61,814	12,13,985	11,97,681	17,84,404	12,00,685	10,44,717	[illegible]
Punjab ...	37,20,569	24,40,561	18,73,413	45,46,918	72,88,678	86,64,531	1,02,57,971	1,10,56,057	1,26,63,781	1,60,44,967	[illegible]
United Provinces...	9,24,080	20,63,958	22,12,043	30,61,087	36,43,342	33,12,516	24,75,562	19,84.273	21,21,137	20,61,315	[illegible]
Burma ...	16,90,689	13,65,330	11,72,887	13,07,632	12,76,074	11,75,858	16,18.944	12,24,280	12,15,875	20,01,044	[illegible]
Baluchistan ...	47,413	36,592	21,261	10,828	20,019	28,991	2,34,162	2,44,874	3,26,315	2,44,621	[illegible]
Rajputana ...	86,434	50,499	27,432	74,824	80,735	59,038	7,289	6,031	25,418	841	[illegible]
North-West Frontier Province ...	14,127	24,778	1,21,027	4,93,211	4,73,378	6,20,233	13,13,930	16,81,198	21.45,656	30,38,842	[illegible]
Central Provinces and Berar ...	24,844	4,00,135	6,22,638	5,50.426	7,55,696	10,18,187	14,34,997	14,18,129	10,06,324	18,62,690	[illegible]
Total ...	1,09.07,474	1,05,01,689	93,10.090	1,37,62,184	1,78,75,234	1,91,60,823	2,19,10,583	2,33,22,595	2,41.18,596	2,95,81,852	[illegible]

ORDER.—Ordered that this Review be forwarded to the Finance and Revenue and Agricultural Departments, and to the Local Governments and Administrations in the Public Works Department, noted on the margin for information.

The Governments of Madras, Bombay, Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma, Bihar and Orisa.
The Honourable the Chief Commissioners of the Central Provinces and Assam.
The Chief Commissioner of Coorg.
The Honourable the Resident at Hyderabad.
The Honourable the Agents to the Governor-General for Central India and Rajputana.
The Honourable the Agent to the Governor-General and Chief Commissioner, Baluchistan.
The Honourable the Chief Commissioner and Agent to the Governor-General, North-West Frontier Province.
The Comptroller and Auditor-General.

Ordered, also, that the Review be published in the Supplement to the *Gazette of India.*

Ordered, further, that a copy of the Review be forwarded to His Majesty's Secretary of State for India for information.

R. P. RUSSELL,

Offg. Secretary to the Government of India.

Documents accompanying.

Statements I to III.

STATEMENT No. I.

Results of individual Productive irrigation works in operation during, and to the end of, 1911-12.

Major Works.	Capital outlay direct and indirect to end of 1911-12.	Revenue Account for 1911-12.					Net revenue—per cent. of Capital outlay.					Revenue Account to end of 1911-12.					Mileage in operation including distributaries, 1911-12.	Irrigated area.	
		Gross revenue.	Maintenance and working.	Net revenue.	Interest.	Net profit.	1907-08.	1908-09.	1909-10.	1910-11.	1911-12.	Gross revenue.	Maintenance and working.	Net revenue.	Interest.	Net profit.		1910-11.	1911-12.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.						Rs.	Rs.	Rs.	Rs.	Rs.	Miles.	Acres.	Acres.
PRODUCTIVE.																			
3 BURMA.																			
Irrigation.																			
Mandalay Canal	53,40,359	3,51,736	92,387	2,59,349	1,77,258	82,091	6·03	4·68	4·87	4·45	4·86	24,92,958	8,80,269	16,12,689	21,94,848	— 5,82,159	153	55,178	57,766
Shwebo Canal	57,91,686	7,15,620	2,33,145	4,82,475	1,90,575	2,91,900	3·38	4·08	7·45	7·43	8·33	26,44,339	8,78,998	17,65,341	14,78,132	2,87,209	360	120,395	123,110
Mon Canals	53,11,895	...	72,586	— 72,586	1,68,745	— 2,41,331	...	...	...	...	...	...	72,586	— 72,586	6,78,328	— 7,50,914	141	...	24,967
Total Burma ...	1,64,43,940	10,67,356	3,98,118	6,69,238*	5,36,578	1,32,660	4·73	4·38	6·19	5·99	4·07	51,37,297	18,31,853	33,05,444	43,51,308	— 10,45,864	654	175,573	205,843
4 BENGAL.																			
Irrigation.																			
Orissa Project	2,68,15,097	5,36,615	4,36,969	99,646	8,91,200	— 7,91,554	0·69	0·23	0·17	0·12	0·37	1,31,12,483	1,61,69,521	— 30,57,038	3,63,70,900	— 3,94,27,938	1,583	278,663	270,225
Sone project...	2,67,98,513	16,91,628	7,05,032	9,86,596	8,70,114	1,07,482	3·18	4·16	4·22	3·71	3·68	3,67,12,233	2,18,96,776	1,48,15.477	3,63,33,715	— 2,15,18,238	1,588	539,944	505,333
Midnapore Canal	84,92,885	2,15,184	2,60,270	— 45,086	2,82,614	— 3,27,700	...	...	...	0·11	...	88,16,104	82,87,938	5,28,166	1,27,38,207	— 1,22,10,041	70	73,940	80,975
Navigation.																			
Hijili Tidal Canal	26,14,318	62,651	35,234	27,417	86,753	— 59,336	...	...	0·22	...	1·04	21,26,828	17,34,376	3,92,452	34,75,757	— 30,83,305	29	...	...
Total Bengal ...	6,47,20,813	25,06,078	14,37,505	10,68,573	21,39,681	— 10,71,108	1·32	1·74	1·78	1·56	1·65	6,07,67,668	4,80,88,611	1,26,79,057	8,89,18,579	— 7,62,39,522	3,270	892,547	865,533
6 UNITED PROVINCES.																			
Irrigation.																			
Upper Ganges Canal	3,46,85,782	43,90,792	13,04,267	30,86,525	10,96,093	19,90,432	11·13	11·04	9·88	9·42	8·90	14,37,11,004	5,15,37,251	9,21,73,713	5,61,97,389	3,59,76,364	5,476	827,213	980,989
Lower Ganges Canal	4,16,14,761	32,47,743	11,17,017	21,30,726	13,16,824	8,13,902	5·73	5·34	4·67	4·58	5·12	8,36,53,364	3,53,92,756	4,82,60,608	4,64,80,964	17,79,644	4,958	751,033	791,372
Agra Canal....	1,19,21,971	6,59,327	3,59,043	3,00,284	3,75,796	— 75,512	4·34	3·97	3·38	3·24	2·52	2,28,76,762	97,62,774	1,31,13.988	1,33,02,036	— 2,78,048	1,294	168,454	229,458
Eastern Jumna Canal	50,81,334	14,84,010	4,29,200	10,54,810	1,61,426	8,93,384	27·07	24·06	23·84	20·83	20·76	5,68,23,038	1,71,33,767	3,96,89,271	71,45,[illegible]	3,25,43,985	1,422	264,556	220,924
Dun Canals	13,56,115	1,25,817	84,753	41,064	43,174	— 2,110	3·41	2·58	0·28	2·33	3·03	43,39,344	25,80,031	17,59,313	15,05,744	2,53,569	90	20,199	13,825
Bijnor Canals	3,07,005	42,864	28,736	14,128	9,202	4,926	5·66	8·55	7·91	8·14	4·60	11,62,996	5,35,278	6,27,718	2,32,811	3,94,907	82	17,684	14,340
Total United Provinces ...	9,49,66,968	99,50,553	33,23,016	66,27,537	30,02,515	36,25,022	8·56	8·22	7·37	7·01	6·98	31,25,66,508	11,69,41,857	19,56,24,651	12,49,54,230	7,06,70,421	13,322	2,049,139	2,250,908

STATEMENT No. I.—continued.

Results of individual Productive irrigation works in operation during, and to the end of, 1911-12—continued.

Number of Works.	Major Works.	Capital outlay direct and indirect to end of 1911-12.	Revenue Account for 1911-12. Gross revenue.	Maintenance and working.	Net revenue.	Interest.	Net profit.	Net revenue—per cent. of Capital outlay. 1907-08.	1908-09.	1909-10.	1910-11.	1911-12.	Revenue Account to end of 1911-12. Gross revenue.	Maintenance and working.	Net revenue.	Interest.	Net profit.	Mileage in operation including distributaries, 1911-12.	Irrigated area. 1910-11.	1911-12.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.						Rs.	Rs.	Rs.	Rs.	Rs.	Miles.	Acres.	Acres.
1	CENTRAL PROVINCES.																			
	Asola-Mendha Tank	11,72,337	62	270	— 208	35,464	— 35,672	...	...	...	...	...	62	270	— 208	1,34,044	—1,34,252	30	...	80
	Total Central Provinces ...	11,72,337	62	270	— 208	35,464	— 35,672	...	...	...	...	...	62	270	— 208	1,34,044	—1,34,252	30	...	80
8	PUNJAB.																			
	Irrigation.																			
	Western Jumna Canal	1,74,38,243	25,63,771	12,08,454	13,55,317	5,64,916	7,90,401	11·63	7·81	5·97	7·10	7·77	10,27,30,502	3,56,22,427	6,71,08,075	2,05,77,874	4,65,30,201	1,939	532,473	703,348
	Upper Bari Doab Canal ...	2,14,49,274	41,55,857	17,11,520	24,44,337	6,97,453	17,46,884	10·40	11·64	11·83	11·93	11·40	10,06,31,202	3,60,40,798	6,45,90,404	3,17,02,980	3,28,87,424	1,927	1,035,442	1,156,808
	Sirhind Canal	2,51,55,196	30,57,629	9,96,530	20,61,099	8,13,319	12,47,780	8·47	8·22	4·86	4·46	8·19	5,79,06,300	2,01,52,842	3,77,53,458	2,97,89,043	79,64,415	2,227	569,434	1,052,582
	Upper Sutlej (including Lower Sohag and Para) Canals.	17,49,503	6,00,178	3,39,381	2,60,797	56,109	2,04,688	19·25	11·49	15·65	18·88	14·91	1,38,43,855	97,40,204	41,03,651	19,31,805	21,71,846	718	282,397	266,013
	Lower Chenab Canal	3,01,72,899	1,27,66,668	24,88,522	1,02,78,146	9,82,780	92,95,366	18·20	22·56	27·11	28·66	34·06	11,34,33,509	2,78,66,077	8,55,67,432	1,84,54,371	6,71,13,061	2,708	2,215,492	2,334,090
	Sidhnai Canal	13 37,469	6,48,366	1,42,546	5,05,820	43,993	4,61,827	30·65	3·88	27·94	31 72	37·81	84,47,781	32,37,078	52,10,703	11,05,841	41,04,862	199	251,461	249,570
	Lower Jhelum Canal	1,61,61,606	27,63,711	10,52,142	17,11,569	5,36,961	11,74,608	5·74	8·96	10·25	11·89	10·59	1,53,06,194	68,92,013	84,14,181	56,88,852	27,25,209	1,223	746,446	799,649
	Indus Inundation Canals ...	27,58,624	5,54,261	4,17,363	1,36,898	87,545	49,353	2·44	...	...	...	4·96	1,38,64,415	1,28,82,551	9,81,864	15,60,373	—5,78,509	749	310,605	278,607
	Total Punjab ...	11,62,22,814	2,71,10,441	83,56,458	1,87,53,983	37,83,076	1,49,70,907	11·67	12·58	12·78	13·66	16·13	42,61,63,758	15,24,33,990	27,37,29,768	11,08,11,169	16,29,18,599	11,690	5,943,750	6,840,667
3	NORTH-WEST FRONTIER PROVINCE.																			
	Irrigation.																			
	Paharpur Inundation Canal ...	9,20,740	24,510	46,479	— 21,969	30,970	— 52,939	...	0·47	...	...	...	90,933	2,02,220	— 1,11,287	1,55,457	— 2,66,744	57	23,921	25,206
	Lower Swat River Canal ...	42,9[illegible]	6,99,537	1,82,615	4,16,915	1,40,455	2,76,460	10·72	10·47	10·93	10·30	9 73	1,04,68,675	28,11,714	76,56,961	43,84,266	32,72,695	209	156,363	157,650
	Kabul River Canal	10,55,851	1,59,705	1,11,059	48,646	35,114	13,532	2·57	12·79	9·93	5·75	4·60	22,10,417	10,29,463	11,86,034	4,75,[illegible]	7,11,556	76	40,202	42,304

Nagavalli River Project.	Including old irrigation.	...	[illegible]	[illegible]	[illegible]	...	...	...	...	...	...	...	...	...	...	...	...	...	...	[illegible]
	Excluding old irrigation.	[illegible]	48,910	29,479	19,431	48,296	[illegible]	...	...	...	...	1·20	48,910	29,479	19,431	[illegible]	−1,85,296	53	...	11,759
Kistna Delta System.	Including old irrigation.	...	36,59,445	8,45,870	28,13,575	...	...	...	...	...	...	...	...	...	...	...	...	...	711,716	716,166
	Excluding old irrigation.	1,61,23,293	35,88,445	8,40,070	27,47,475	5,12,067	2[illegible],35,408	16·97	16·99	17·21	16·35	17·04	8,58,27,149	2,43,68,083	6,14,59,066	1,68,55,543	4,46,03,523	2,524	640,542	645,456
Penner River Canals.	Including old irrigation.	...	8,24,977	1,39,120	6,85,848	...	...	...	...	...	...	...	...	...	...	...	...	...	182,563	167,308
	Excluding old irrigation.	66,34,164	5,68,977	84,120	4,84,848	1,91,152	2,93,696	7·04	7·68	5·09	7·60	7·31	1,13,55,588	21,48,120	89,07,463	63,13,554	25,93,914	508	83,193	67,178
Cauvery Delta System.	Including old irrigation.	...	44,54,266	5,45,261	39,09,005	...	...	...	...	...	...	...	...	...	...	...	...	...	1,002,433	993,902
	Excluding old irrigation.	40,43,795	10,54,266	1,77,767	8,76,499	1,30,436	7,43,063	23·23	20·65	21·01	18·76	21·68	4,02,62,070	38,93,068	3,63,69,002	35,06,898	3,28,60,104	3,178	223,741	214,372
Srivaikuntam Anicut System.	Including old irrigation.	...	2,38,275	35,848	2,02,427	...	...	...	...	...	...	...	...	...	...	...	...	...	41,134	46,646
	Excluding old irrigation.	16,46,712	1,59,275	23,348	1,35,927	52,475	83,452	7·06	4·99	8·27	7·20	8·25	39,25,880	10,66,966	28,58,923	21,19,5 2	7,39,341	90	23,785	26,216
Kurnool Canal	Including old irrigation.	...	3,48,169	1,59,701	1,88,468	...	...	...	...	...	...	...	...	...	...	...	...	...	60,537	87,694
	Excluding old irrigation.	2,26,39,468	3,06,208	1,56,830	1,49,378	7,68,625	−6,19,247	0·88	0·66	0·21	0·44	0·66	47,50,255	39,53,350	7,96,905	2,30,71,370	−2,42,74,465	595	57,831	78,222
Barur Tank ...	Including old irrigation.	...	23,435	13,574	9,861	...	...	...	...	...	...	...	...	...	...	...	...	...	7,162	7,028
	Excluding old irrigation.	4,43,113	18,935	13,266	5,669	14,263	−8,594	2·50	0·16	1·32	3·21	1·28	2,79,348	1,60,567	1,18,781	4,06,470	−2,87,689	35	5,462	5,268
Periyar project ...	Including old irrigation.	...	7,88,234	2,09,784	5,78,440	...	...	...	...	...	...	...	...	...	...	...	...	...	169,000	166,335
	Excluding old irrigation.	1,05,05,656	5,85,290	1,62,810	4,22,480	3,44,761	77,719	3·46	3·47	3·88	4·09	4·02	69,67,470	21,14,290	48,53,189	67,14,567	−18,61,187	278	86,158	84,548
Divi Island Pumping Project.	Including old irrigation.	...	1,22,465	1,00,447	22,018	...	...	...	...	...	...	...	...	...	...	...	...	...	16,762	21,573
	Excluding old irrigation.	18,45,437	1,02,158	99,058	3,100	61,635	−58,535	1·00	...	1·48	...	0·17	3,80,237	3,70,398	9,875	3,01,819	−2,90,944	166	7,328	14,775
Lower Coleroon Anicut System.	Including old irrigation.	...	4,50,646	1,18,101	3,32,545	...	...	...	...	...	...	...	...	...	...	...	...	...	112,300	111,337
	Excluding old irrigation.	18,86,041	2,95,646	1,07,499	1,88,147	61,382	1,26,765	12·46	12·74	12·51	9·96	9·98	1,48,14,910	26,14,971	1,21,99,939	14,96,580	1,07,03,359	1,070	67,482	66,407
Shatiatope ...	Including old irrigation.	...	1,29,897	38,827	91,070	...	...	...	...	...	...	...	...	...	...	...	...	...	33,746	34,025
	Excluding old irrigation.	8,86,409	1,09,897	37,459	72,438	27,768	44,670	15·94	12·93	10·28	8·89	8·17	41,93,816	9,94,963	31,98,883	2,81,131	29,17,752	190	26,489	26,865
Tirukkoyilur ...	Including old irrigation.	...	1,18,662	35,616	78,046	...	...	...	...	...	...	...	...	...	...	...	...	...	29,280	30,954
	Excluding old irrigation.	3,74,160	53,662	31,512	22,150	12,415	9,735	5·92	6·58	5·17	2·88	5·92	14,02,338	8,09,775	5,92,563	4,09,607	1,82,956	164	13,067	14,844
Cheyeru ...	Including old irrigation.	...	94,841	33,863	60,978	...	...	...	...	...	...	...	...	...	...	...	...	...	36,137	36,799
	Excluding old irrigation.	4,17,914	55,841	31,195	24,646	13,754	10,892	3·37	7·69	5·60	4·98	5·90	16,36,713	9,90,551	6,46,162	5,44,154	1,02,008	181	20,240	20,209

STATEMENT No. I—*concluded.*

Results of individual Productive irrigation works in operation during, and to the end of 1911-12—concluded.

Number of Works.	Major Works.	Capital outlay direct and indirect to end of 1911-12.	Revenue Account for 1911-12. Gross revenue.	Maintenance and working.	Net revenue.	Interest.	Net profit.	Net revenue—per cent. of Capital outlay. 1907-08.	1908-09.	1909-10.	1910-11.	1911-12.	Revenue Account to end of 1911-12. Gross revenue.	Maintenance and working.	Net revenue.	Interest.	Net profit.	Mileage in operation, including distributaries 1911-12.	Irrigated area. 1910-11.	1911-12.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.						Rs.	Rs.	Rs.	Rs.	Rs.	Miles.	Acres.	Acres.
	MADRAS—*concld.*																			
	Irrigation—concld.																			
	Poiney Anicut System. Including old irrigation.	...	95,323	25,359	69,964	...	...	...	...	...	...	...	...	...	...	...	...	...	30,505	28,912
	Poiney Anicut System. Excluding old irrigation.	2,38,683	57,323	22,760	34,563	7,905	26,658	9·78	13·13	15·60	14·18	14·48	19,53,635	8,64,402	10,89,233	3,79,519	7,09,714	182	11,701	10,862
	Godaveri Delta System. Including old irrigation.	...	42,51,722	10,26,483	32,25,239	...	...	...	...	...	...	...	...	...	...	...	...	...	896,026	1,001,960
	Godaveri Delta System. Excluding old irrigation.	1,43,40,867	41,27,722	10,17,983	31,09,739	4,19,525	26,90,214	19·79	20·02	18·77	18·86	21·68	11,78,95,528	3,28,95,158	8,50,00,370	1,96,10,891	6,53,89,479	2·46	731,990	845,810
	Total Madras. Including old irrigation.	...	1,56,86,976	33,60,245	1,23,26,731	...	...	...	...	...	...	...	...	...	...	...	...	...	3,321,321	3,485,126
	Total Madras. Excluding old irrigation.	8,35,25,406	1,11,32,555	28,36,065	82,96,400	26,66,459	56,30,031	9·80	9·66	9·33	9·23	9·93	29,56,93,022	7,75,74,141	21,81,19,781	8,42,26,182	13,38,93,590	11,980	1,908,989	2,132,791
8	**BOMBAY.**																			
	Sind.																			
	Irrigation.																			
	Desert Canal. Including old irrigation.	...	3,04,646	1,52,454	1,52,192	...	...	...	...	...	...	...	...	...	...	...	...	...	191,581	160,168
	Desert Canal. Excluding old irrigation.	27,20,080	2,04,646	1,52,454	1,52,192	89,752	62,440	1·00	7·62	8·03	7·45	5·60	66,59,809	29,77,549	36,82,260	21,25,088	15,57,172	331	191,581	160,168
	Unharwah. Including old irrigation.	...	1,36,966	52,624	84,342	...	...	...	...	...	...	...	...	...	...	...	...	...	76,441	56,966
	Unharwah. Excluding old irrigation.	7,10,820	1,36,966	52,624	84,342	23,444	60,898	18·11	22·69	22·23	18·63	11·87	31,34,470	9,69,040	21,65,430	5,52,821	16,12,609	120	76,441	56,966
	Begari Canal. Including old irrigation.	...	2,06,567	1,50,752	55,815	...	...	...	...	...	...	...	...	...	...	...	...	...	233,318	125,861
	Begari Canal. Excluding old irrigation.	22,58,244	1,72,954	1,41,993	30,961	73,127	−42,166	25·80	23·22	20·13	14·30	1·37	1,34,59,277	43,05,533	91,53,744	25,39,455	66,14,289	237	214,338	106,881
	Eastern Nara Works. Including old irrigation.	...	6,83,934	2,97,965	3,85,969	...	...	...	...	...	...	...	...	...	...	...	...	...	243,174	240,096
	Eastern Nara Works. Excluding old irrigation.	[illegible]	6,80,490	2,97,621	3,82,869	2,23,667	1,59,202	5·06	5·31	5·64	6·05	5·62	1,81,81,960	63,22,313	1,18,59,647	[illegible]	30,77,012	280	243,174	240,096
	[illegible] Including old irrigation.	...	[illegible]	[illegible]	[illegible]	...	...	...	...	...	...	...	...	...	...	...	...	...	[illegible]	[illegible]

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Nasrat Canal — Including old irrigation.	...	[illegible]	[illegible]	[illegible]	...	...	...	...	...	...	...	...	...	...	...	...	...	[illegible]	79,431
Nasrat Canal — Excluding old irrigation.	[illegible]	[illegible]	[illegible]	11,350	62,241	[illegible]	3·48	9·63	6·91	0·54	0·60	12,38,400	7,00,740	6,37,660	6,02,5[illegible]	35,130	300	60,165	48,404
Mahiwah — Including old irrigation.	...	1,38,442	60,796	77,844	...	...	...	...	...	...	...	...	...	...	...	...	...	60,063	53,867
Mahiwah — Excluding old irrigation.	14,36,973	27,045	39,519	—11,573	46,436	—58,009	2·36	6·23	4·94	4·70	...	7,46,993	4,29,203	3,17,790	4,52,477	—1,34,687	293	33,446	6,270
TOTAL SIND — Including old irrigation.	...	26,71,533	13,50,593	13,20,910	...	...	...	...	...	...	...	...	...	...	...	...	...	1,219,068	1,042,048
TOTAL SIND — Excluding old irrigation.	3,55,98,391	23,67,217	12,55,193	11,12,024	8,72,706	2,39,318	5·88	6·60	6·93	6·21	4·18	5,22,44,014	1,98,56,691	3,23,87,323	2,01,45,387	1,22,41,936	2,546	1,076.618	899,508
DECCAN AND GUJARAT.																			
Irrigation.																			
Hathmati Canal including Khari Cut Canal.	12,28,413	26,816	41,535	—14,719	38,766	—53,485	...	1·12	3·89	7·19	...	6,70,096	5,98,463	71,633	6,12,569	—7,40,936	117	21,686	1,473
Lower Panjhra River Works. — Including old irrigation.	...	14,812	6,941	7,871	...	...	...	...	...	...	...	...	...	...	...	...	...	2,061	3,284
Lower Panjhra River Works. — Excluding old irrigation.	4,68,621	13,622	6,822	6,800	15,147	—8,347	0·99	1·17	0·69	2·41	1·45	5,36,521	2,70,984	2,65,537	7,05,130	—4,39,593	45	—869	354
Kadwa River Works	10,13,078	36,955	24,373	12,582	33,049	—20,467	0·81	0·75	0·94	0·93	1·24	4,34,821	3,92,097	42,724	9,43,839	—9,01,115	41	2,785	5,193
Lakh Canal (Pravara River Works)	3,71,891	1,862	2,930	—1,068	11,987	—13,055	...	...	...	...	...	61,690	3,14,950	—2,53,260	5,96,371	—8,49,631	32	239	1,556
Mutha Canals including Matoba Tank.	76,51,789	4,33,540	1,17,227	3,16,313	2,50,608	65,705	3·24	3·23	3·07	3·64	4·13	87,25,012	30,95,204	56,29,808	94,76,025	—38,46,217	172	11,553	14,029
Ekruk Tank	13,40,386	88,755	16,259	72,496	41,768	30,728	2·04	2·06	4·47	3·70	5·41	9,22,271	6,44,125	2,78,146	20,14,917	—17,36,771	50	4,604	4,282
Krishna Canal	8,70,409	64,290	13,858	50,432	27,900	22,472	2·96	4·15	5·11	4·81	5·79	14,02,421	6,88,261	7,14,160	14,08,175	—6,94,015	64	3,495	5,414
TOTAL DECCAN & GUJARAT. — Including old irrigation.	...	6,67,030	2,23,123	4,43,907	...	...	...	...	...	...	...	...	...	...	...	...	...	46,023	35,231
TOTAL DECCAN & GUJARAT. — Excluding old irrigation.	1,29,44,657	6,65,840	2,23,004	4,42,836	4,19,285	23,551	2·50	2·68	3·05	3·69	3·42	1,27,52,832	60,04,084	67,48,748	1,59,57,026	—92,08,278	521	43,093	32,301
TOTAL BOMBAY — Including old irrigation.	...	33,38,563	65,73,715	17,64,867	...	...	...	...	...	...	...	...	...	...	...	...	...	1,265,091	1,077,279
TOTAL BOMBAY — Excluding old irrigation.	3,95,43,050	30,33,057	14,78,197	15,54,860	12,91,991	2,62,869	4·82	5·35	5·65	5·28	3·93	6,49,96,846	2,58,60,775	3,91,36,071	3,61,02,413	30,33,658	3,067	1,119,711	931,899
TOTAL IMPERIAL — Including old irrigation.	...	6,04,43,774	1,87,89,481	4,16,54,293	...	...	...	...	...	...	...	...	...	...	...	...	...	13,867.997	14,950,596
TOTAL IMPERIAL — Excluding old irrigation.	42,28,55,171	5,55,83,847	1,81,69,782	3,74,14,065	1,36,62,303	2,37,51,762	8·05	8·25	8·20	8·26	8·85	1,17,81,02,086	42,67,74,914	75,13,27,172	45,45,13,026	29,68,14,146	44,355	12,400,285	13,452,881
NATIVE STATES—PUNJAB ...	1,52,94,375	19,18,572	7,53,810	11,64,762	...	11,64,762	9·27	7·16	6·63	4·95	7·61	3,11,30,763	1,44,41,234	1,66,89,529	...	1,66,89,529	2,384	327,007	628,978
GRAND TOTAL IMPERIAL AND NATIVE STATES. — Including old irrigation.	...	6,23,62,346	1,95,43,291	4,28,19,055	...	...	...	...	...	...	...	...	...	...	...	...	...	14,195,004	15,579,574
GRAND TOTAL IMPERIAL AND NATIVE STATES. — Excluding old irrigation.	43,81,40,546	5,75,02,419	1,89,23,592	3,85,78,827	1,36,62,303	2,49,16,524	8·10	8·21	8·15	8·14	8·80	1,20,92,32,849	44,12,16,148	76,80,16,701	45,45,13,026	31,35,03,675	46,739	12,727,292	14,081,859

In Madras and Bombay considerable areas served by the canal systems are irrigated by old works of the capital cost of which there is no record. As the percentage of net revenue is based on the recorded capital outlay it has hith[illegible] this return particulars relating to old irrigation. Details regarding the revenue derived from this source are now given and are shown separately from the figures relating to the new [illegible]

STATEMENT No. II.

Results of individual Protective irrigation works in operation during, and to the end of, 1911-12.

Number of works.	MAJOR WORKS.	Capital outlay, direct and indirect to end of 1911-12.	Revenue Account for 1911-12. Gross revenue.	Maintenance and working.	Net revenue.	Interest.	Loss.	Percentage of net revenue on the Capital outlay.	Revenue Account to end of 1911-12. Gross revenue.	Maintenance and working.	Net revenue.	Interest.	Loss.	Mileage in operation including distributaries 1911-12.	Irrigated Area. 1910-11.	1911-12.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		Rs.	Rs.	Rs.	Rs.	Rs.	Miles.	Acres.	Acres.
17	PROTECTIVE															
	CENTRAL PROVINCES.															
	Irrigation.															
	Khairabanda Tank	6,96 005	4,302	3,803	499	21,003	20,504	0·07	25,039	19,537	5,502	1,06,467	1,00,965	35	2,152	1,796
	Khairee Tank	1,30,111	1,203	100	1,103	3,976	2,873	0·84	1,803	10)	1,703	11,031	9,328	6	99	261
	Khapri-Aranda Tank ...	3,53,554	12,529	4,983	7,546	11.3 ¿9	3,803	2·13	42,015	16,731	25,284	71,513	46,229	28	5,243	3,679
	Rumal Tank	3,00,534	1,009	907	102	9,794	9,692	0 03	1,009	995	14	36,852	36,838	11	...	1,080
	Chandpur Tank	6,36,221	11 679	6,047	5,632	19,929	14,297	0 89	26,097	18,386	7,711	80,595	72,884	67	3,432	4,075
	Ramtek Reservior	27,55,451	3,503	1,286	2,217	85.328	83,111	0 08	8,963	1,310	7,653	2,57,131	240,478	208	387	2,752
	Marowda Tank	3.95,073	5,309	1 813	3,496	12,789	9,293	0 88	19,914	15,606	4,308	85,279	80,971	24	1,893	1,616
	Wara Tank	1,99,403	8 ̃8	1,505	— 697	6,494	7,191	...	1,393	2,582	1,189	21,947	23,136	15	105	341
	Khola Tank	96,637	264	1,671	—1,407	3,094	4 501	...	4,814	7,419	— 2,605	24,811	27,416	6	539	95
	Kusrangi Tank	1,28,084	1,055	1,455	— 400	4,033	4,433	...	5,724	6,445	—721	31,569	32,290	8	3	424
	Khaira Dadan Tank	91,457	1,849	1,381	468	2,956	2,488	0·51	6,263	5,141	1,122	23,963	22,841	5	539	562
	Kukerdehi Tank	1,03,763	2,017	3,135	1,118	3,336	4,454	...	9,992	8.653	1,339	24,791	23,452	6	7	112
	Binakheri Tank	1,55.165	1,726	3,587	— 1,861	5,000	6,861	...	7,739	10,736	— 2.997	34,274	37,271	6	336	278
	Hargahan Tank	1,19,434	4,482	1,432	3,050	3,950	900	2 55	11,816	8,222	3,594	27,312	23,718	9	613	935
	Pindraon Tank	1,76,753	6,968	2,320	4,648	5,494	846	2·63	20,391	11,336	9,005	39,909	30,904	11	3,038	2,618
	Gherajheri Tank	6,45,441	3,283	673	2.610	19,709	17,099	0·40	6,027	673	5,364	60,770	55,406	28	666	842
	Barera Kalan Tank	1,11,734	146	14	132	3,202	3,070	0 12	146	14	132	6,588	6,456	19	...	106
	TOTAL CENTRAL PROVINCES ...	[illegible]0,94,820	62,132	36.112	26,020	2,21,341	1,95,421	0·36	1 99,155	1,33,936	65,219	9,44,802	8,79,583	492	19,052	21,572

BENGAL.

	Tribeni Canal	61,22,069	38,765	40,189	−1,424	1,92,741	1,94,175	...	38,765	40,189	−1,424	9,22,164	[illegible]	103	...	[illegible]
	Total Bengal ...	66,58,563	47,150	63,694	−16,544	2,11,425	2,27,969	...	1,22,138	1,77,515	−55,377	10,73,405	11,28,78	143	6,387	23,932
4	**UNITED PROVINCES.**															
	Irrigation.															
	Betwa Canal	81,22,098	2,28,165	1,68,720	59,445	2,64,142	2,04,097	0·73	30,70,168	29,81,962	88,206	51,21,304	50,33,098	751	71,580	67,120
	Ken Canal	47,94,107	82,064	1,20,466	−38,402	1,51,232	1,89,634	...	2,89,792	4,96,642	−2,06,850	8,23,620	10,30,480	333	32,689	31,750
	Dhasan Canal	42,97,046	1 387	1,01,829	−1,00,442	1,35,688	2,36,130	...	1,387	1,01,829	−1,00,442	5,05,014	6,05,456	219	9,439	11,130
	Pahuj and Garhman Canal ...	8,08,271	1,725	11,479	− 9,754	26,222	35,976	...	1,725	11,479	−9,754	74,813	84,567	66	505	866
	Total United Provinces ...	1 80,21,522	3,13,341	4,02,494	−89,153	5,77,284	6,66,437	...	33,63,072	35,91,912	−2,28,840	65,24,761	67,53,601	1,369	114,213	110,866
1	**MADRAS.**															
	Irrigation.															
	Rushikulya Project — Including old irrigation.	...	2,1 ,113	53,074	1,58,039	...	...	...	...	...	...	...	...	...	105,562	99,310
	Rushikulya Project — Excluding old irrigation.	50,48,280	1,54,963	53,074	1,01,889	1,57,685	55,796	2·02	17,75,811	9,94,957	7,80,854	35,16,043	27,35,189	231	46,098	40,146
6	**BOMBAY.**															
	Deccan and Gujarat.															
	Irrigation.															
	Pravara River Canal Project ...	15,75,079	2,922	3,078	−156	38,005	38,161	...	4,090	5,502	−1,412	66,502	67,914	40	157	2,481
	Mhasvad Tank	20,96,016	53,433	20,937	32,496	68,209	35,713	1·55	5,69,703	4,12,399	1,57,304	22,53,472	20,96,168	110	7,124	8,788
	Chankapur Tank	16,90,862	6,134	7,459	−1,325	54,933	56,258	...	11,838	19,076	−7,238	3,55,829	3,63,067	13	1,137	2,758
	Nira Canal, including Shetphal Tank.	64 35,804	4,36,309	1,04,256	3,32,053	2,06,478	−1,25,575	5·16	42,66,950	16,17,128	23,49,822	58,93,521	82,43,699	246	37,962	39,227
	Godavari Canal	76,77,554	15,316	13,266	2,050	2,22,846	2,20,796	0·03	15,316	13,667	1,649	5,56,737	5,55,088	103	2,562	16,444
	Gokak Canal—1st section ...	4,12,666	...	...	...	13,636	13,636	...	24,740	20,997	3,743	4,67,103	4,63,360	...	...	...
	Total Bombay ...	1,98,87,981	5,14,164	1,49,046	3,65,118	6,04,107	2,38,989	1·84	48,92,637	20,88,769	28,03,868	95,93,164	67,89,296	512	48,942	69,398
30	**Total Protective** — Including old irrigation.	...	11,47,900	7,04,420	4,43,480	...	...	...	...	...	...	...	...	...	294,156	325,378
	Total Protective — Excluding old irrigation.	5,67,41,166	10,91,750	704,420	3,87,330	17,71,942	13,84,612	0·68	1,03,52,813	69,87,089	33,65,724	2,16,52,175	1,82,86,451	2,747	234,692	266,214

In Madras and Bombay considerable areas served by the canal systems are irrigated by old works of the capital cost of which there is no record. As the percentage of net revenue is based on the recorded capital outlay it has hitherto been customary to exclude from this return particulars relating to old irrigation. Details regarding the revenue derived from this source are now given and are shown separately from the figures relating to the new works.

STATEMENT No. III.

Results of individual Minor Works for which capital and revenue accounts are kept during, and to the end of, 1911-12.

[Includes both works in operation and works under construction.]

Number of Works.	Minor Works.	Capital outlay direct and indirect to end of 1911-12.	Revenue Account for 1911-12. Gross revenue.	Mainten-ance and working.	Net revenue.	Percent-age of net revenue on Capital outlay.	Revenue Account to end of 1911-12. Gross revenue.	Mainten-ance and working.	Net revenue.	Mileage in operation including distributaries.	Irrigated area. 1910-11.	1911-12.
		Rs.	Rs.	Rs.	Rs.		Rs.	Rs.	Rs.	Miles.	Acres.	Acres.
3	RAJPUTANA.											
	Irrigation.											
	Tanks in Ajmer Sub-Collectorate	18,61,805	42,332	47,189	−4,857	...	21,38,197	11,18,270	10,19,927	...	11,413	9,035
	Tanks in Beawar Sub-Collectorate	11,20,281	29,144	17,705	11,439	1·02	15,94,551	10,04,782	5,89,769	...	8,903	7,867
	Tanks in Todgarh Sub-Collectorate	4,74,318	18,152	8,982	9,170	1·93	8,43,964	4,39,397	4,04,567	...	2,620	1,985
	Total ...	34,56,404	89,628	73,876	15,752	0·46	45,76,712	25,62,449	20,14,263	...	22,936	18,887
5	BALUCHISTAN.											
	Irrigation.											
	Khushdil Khan Reservoir	10,86,656	45,637	18,389	27,248	2·51	5,25,981	2,66,065	2,59,916	29	2,939	4,057
	Shebo Canal	7,42,674	769	12,155	−11,386	...	3,45,714	2,48,812	96,902	25	1,548	162
	Anambar Channel	1,05,219	...	...	...	...	...	...	...	...	...	...
	Nar Nullah Project	9,46,049	...	...	...	...	...	...	...	...	...	...
	Anambar Reservoir	4,750	...	...	...	...	...	...	...	...	...	...
	Total ...	28,85,348	46,406	30,544	15,862	0·55	8,71,695	5,14,877	3,56,818	54	4,487	4,219
1	CENTRAL PROVINCES.											
	Irrigation.											
	[illegible]	[illegible]	...	...	...	...						

BURMA.											
Irrigation.											
Irrawaddy Embankment	37,08,691	13,10,301	2,52,979	10,57,322	28·51	2,87,73,012	70,94,753	2,16,78,259	...	430,715	443,923
Thongwa Island Embankment	2,27,909	74,661	16,777	57,884	25·40	9,45,759	3,22,428	6,23,331	...	28,388	27,711
Total ...	39,36,600	13,84,962	2,69,756	11,15,206	28·33	2,97,18,771	74,17,181	2,23,01,590	...	459,103	471,634
7 BENGAL.											
Irrigation.											
Saran Project	7,14,806	57	3,064	—3,007	...	2,62,942	4,36,476	—1,73,534	...	...	...
Navigation.											
Calcutta and Eastern Canals	85,09,088	4,35,658	3,15,857	1 19,801	1·40	3,03,16,978	1,45,07,774	1,58,09,204	1,115	...	...
Orissa Coast Canal	44,79,078	25,061	59,820	—34,759	...	13,56,911	20,58,276	—7,01,365	130	...	...
Madaripur-Bhil route	29,47,465	1,23,706	7,483	1,16,223	3·94	5,33,264	2,17,819	3,15,445	21	...	...
Utterbhag Lock	32,830	...	...	...	...	...	...	...	...	...	...
Other Works (2)	1,034	...	...	...	...	...	...	...	...	...	...
Total ...	1,59,69,495	5,84,425	3,83,160	2,01,265	1·26	3,22,07,153	1,67,83,869	1,54,23,284	1,266	...	...
GRAND TOTAL ...	1,66,84,301	5,84,482	3,86,224	1,98,258	1·19	3,24,70,095	1,72,20,345	1,52,49,750	1,266	...	...
7 UNITED PROVINCES.											
Irrigation.											
Rohilkhand Canals	28,99,592	1,94,560	1,30,798	63,762	2·20	61,43,718	47,47,840	13,95,878	462	1,01,717	72,177
Jhansi Hamirpur Lakes and Tanks	84,743	13,198	12,322	876	1·03	3,61,132	3,95,447	—34,315	90	4,142	4,453
Sukhrao Canals	91,256	...	...	...	...	...	...	...	...	...	...
Seori Lakes	1,39,327	...	...	...	...	...	...	...	...	...	...
Other Works (3)	67,365	...	...	...	...	...	...	...	...	...	...
Total ...	32,82,283	2,07,758	1,43,120	64,638	1·91	65,04,850	51,43,287	13,61,563	552	1,05,859	76,630

STATEMENT No. III—*contd.*

Results of individual Minor Works for which capital and revenue accounts are kept during, and to the end of, 1911-12—contd.

Number of Works.	MINOR WORKS.	Capital outlay direct and indirect to end of 1911-12.	Revenue Account for 1911-12. Gross revenue.	Revenue Account for 1911-12. Maintenance and working.	Revenue Account for 1911-12. Net revenue.	Revenue Account for 1911-12. Percentage of net revenue on capital outlay.	Revenue Account to end of 1911-12. Gross revenue.	Revenue Account to end of 1911-12. Maintenance and working.	Revenue Account to end of 1911-12. Net revenue.	Mileage in operation including distributaries.	Irrigated area. 1910-11.	Irrigated area. 1911-12.
		Rs.	Rs.	Rs.	Rs.		Rs.	Rs.	Rs.	Miles.	Acres.	Acres.
2	PUNJAB.											
	Irrigation.											
	Shahpur Inundation Canals	2,15,914	66,834	67,612	778	...	21,48,161	12,31,856	9,16,305	138	33,786	22,866
	Ghaggar Canals	6,44,063	16,251	33,482	—17,231	...	69,716	5,35,341	—4,65,625	129	46,132	6,593
	Total ...	8,59,977	83,085	1,01,094	18,009	...	22,17,877	17,67,197	4,50,680	267	79,918	29,459
36	MADRAS.											
	Irrigation.											
	Chembrambankam Tank ... { Including old irrigation ...	...	69,955	9,604	60,351	...	...	...	...	...	17,929	2,659
	Chembrambankam Tank ... { Excluding old irrigation ...	7,50,296	53,955	2,704	51,251	6·83	12,29,091	1,57,434	10,71,657	27	5,292	9,129
	Madras water-supply and irrigation extension project. { Including old irrigation ...	...	50,270	13,129	37,141	...	...	...	...	...	10,329	9,824
	Madras water-supply and irrigation extension project. { Excluding old irrigation ...	17,75,120	39,270	8,329	30,941	1·74	9,32,112	6,19,017	3,13,[illegible]95	10	3,979	3,414
	Palar Anicut System ... { Including old irrigation ...	...	3,03,067	61,051	2,42,016	...	...	...	...	...	110,022	102,744
	Palar Anicut System ... { Excluding old irrigation ...	24,16,129	1,78,067	57,151	1,20,916	5·00	52,91,257	29,74,735	23,16,522	361	39,860	32,784
	Thadapalle Channel System { Including old irrigation ...	...	1,35,084	13,289	1,21,795	...	...	...	...	...	16,008	15,698
	Thadapalle Channel System { Excluding old irrigation ...	1,74,138	59,084	13,289	45,795	26·[illegible]0	14,13,166	5,46,038	8,67,128	76	5,762	5,538
	Pelandorai Anicut System ... { Including old irrigation ...	...	45,825	20,638	25,187	...	...	...	...	...	12,837	12,358
	Pelandorai Anicut System ... { Excluding old irrigation ...	6,00,803	42,825	20,488	22,[illegible]37	3·72	8,31,739	6,90,673	1,41,066	77	10,613	10,138
	Kalingaroyen Channel System { Including old irrigation ...	...	1,36,030	42,615	93,415	...	...	...	...	...	22,414	22,184
	Kalingaroyen Channel System { Excluding old irrigation ...	[illegible]	51,030	42,615	8,415	5·16	8,30,928	7,16,143	1,14,785	61	6,045	5,534
	[illegible] { Including old irrigation ...	[illegible]	[illegible]	[illegible]	[illegible]	...	...	...	...	...	[illegible]	[illegible]

Sagileru Project ...	Including old irrigation ...	...	8,841	4,352	4,489	...	...	...	...	...	6,686	16,190
	Excluding old irrigation ...	4,64,727	—443	4,352	—4,795	...	48,169	62,921	—14,752	14	2,056	—494
Muniyeru ...	Including old irrigation ...	...	22,077	10,453	11,624	...	...	...	...	...	6,260	5,208
	Excluding old irrigation ...	5,93,627	19,850	10,453	9,397	1·58	1,69,736	1,20,206	49,530	67	4,719	4,668
Ponnalur Tank Project ...	Including old irrigation ...	...	2,736	137	2,599	...	...	...	...	...	...	1,431
	Excluding old irrigation ...	1,91,373	2,736	137	2,599	1·36	2,736	137	2,599	9	...	1,431
Arkenkota Channel System	Including old irrigation ...	...	39,811	3,736	36,075	...	...	...	...	...	5,119	5,010
	Excluding old irrigation ...	1,44,365	20,811	3,736	17,075	11·83	4,33,272	3,46,380	86,892	24	2,397	2,270
Dondapad Tank ...	Including old irrigation ...	...	1,760	324	1,436	...	...	...	...	...	354	435
	Excluding old irrigation ...	1,40,004	1,731	324	1,407	1·00	8,320	9,030	—710	7	343	424
Hajipuram Tank ...	Including old irrigation ...	...	672	34	638	...	...	...	...	...	...	330
	Excluding old irrigation ...	3,08,266	672	34	638	0·21	682	140	542	4	...	330
Markapur Tank Project ...	Including old irrigation ...	...	6,743	2,336	4,407	...	...	...	...	...	1,589	1,747
	Excluding old irrigation ...	1,18,909	3,887	2,336	1,551	1·30	11,145	4,468	6,677	8	897	1,055
Atmakur Tank Project ...	Including old irrigation ...	...	...	1,107	—1,107	...	...	...	...	...	...	...
	Excluding old irrigation ...	1,23,379	...	1,107	—1,107	...	5	1,667	—1,662	4	...	...
Yellanur Tank ...	Including old irrigation ...	...	...	...	...	...	...	...	...	...	...	...
	Excluding old irrigation ...	1,67,207	...	...	...	...	...	...	...	...	...	...
Siddapur Tank ...	Including old irrigation ...	...	...	...	...	...	...	...	...	...	...	...
	Excluding old irrigation ...	1,73,965	...	...	...	...	...	...	...	...	...	...
Benjam Project ...	Including old irrigation ...	...	...	...	...	...	...	...	...	...	...	...
	Excluding old irrigation ...	1,27,170	...	...	...	...	...	...	...	...	...	...
Other Works (14) ...	Including old irrigation ...	...	3,24,871	32,265	2,92,606	...	...	...	...	...	70,238	67,258
	Excluding old irrigation ...	8,86,742	1,41,713	22,775	1,18,938	13·41	43,69,301	12,52,052	31,17,249	216	30,414	27,391
Total ...	Including old irrigation ...	...	13,26,618	2,30,963	1,095,655	...	...	...	...	...	357,671	352,362
	Excluding old irrigation ...	95,81,978	6,99,064	2,05,723	4,93,341	5·15	1,70,75,510	82,51,244	88,24,266	1,084	139,506	134,712

STATEMENT No. III—*contd.*

Results of individual Minor Works for which capital and revenue accounts are kept during, and to the end of, 1911-12—contd.

Number of Works.	MINOR WORKS.		Capital outlay direct and indirect to end of 1911-12.	Revenue Account for 1911-12. Gross revenue.	Revenue Account for 1911-12. Maintenance and working.	Revenue Account for 1911-12. Net revenue.	Revenue Account for 1911-12. Percentage of net revenue on capital outlay	Revenue Account to end of 1911-12. Gross revenue.	Revenue Account to end of 1911-12. Maintenance and working.	Revenue Account to end of 1911-12. Net revenue.	Mileage in operation including distributaries	Irrigated area. 1910-11.	Irrigated area. 1911-12.
			Rs.	Rs.	Rs	Rs.		Rs	Rs.	Rs.	Miles.	Acres.	Acres.
	MADRAS—*contd.*												
	Navigation.												
	Buckingham Canal ...	... ...	90,10,782	75,817	1,44,548	—68,731	...	41,22,245	45,87,861	—4,65,616	262	...	...
	Ganjam Gopalpur Canal...	... ...	1,55,493	52	161	—112	...	409	4,325	—3,916	...	...	...
	Vedaranniyam Canal ...	... ...	1,36,432	1,337	9,410	—8,073	...	27,581	1,75,746	—148,165	35	...	...
	Chilka Lake Canal ...	... ...	31,027	180	301	—121	...	302	24,123	—23,821	8	...	...
	Total	...	93,33,734	77,386	1,54,423	—77,037	...	41,50,537	47,92,055	—6,41,518	305	...	...
	GRAND TOTAL ...	Including old irrigation ...	...	14,04,004	3,85 386	10,18,618	...	...	...	...	...	357,671	352,362
		Excluding old irrigation ...	1,89,15,712	7,76,450	3,60,146	4,16,304	2 20	2,12,26,047	1,30,43,299	81,82,748	1,389	139,506	134,712
40	BOMBAY.												
	SIND.												
	Irrigation.												
	Sukkur Canal ...	... Including old irrigation ...	...	2,16,360	74,214	1,42,116	...	...	...	...	...	88,749	68,601
		Excluding old irrigation ...	14,26,250	1,31,554	60,852	70,702	4·96	45,19,422	22,46,871	22,72,551	130	43,005	21,857
	Ghar Canal ...	... Including old irrigation ...	...	8,87,217	1,93,141	6,94,076	...	...	...	...	...	255,398	232,118
		Excluding old irrigation ...	5,72,387	7,51,705	1,74,300	5 77,405	100·88	2,55,32,286	72,83,975	1,82,48,311	226	204,525	181,245
	[illegible] Canal	... Including old irrigation ...	[illegible]	1,62,863	43,404	1,19,459	...	...	...	...	—	67,549	66,012
		Excluding old irrigation ...	[illegible]	[illegible]	[illegible]	[illegible]							

Sarfrazwah	Including old irrigation ...	...	58,900	18,870	40,030	...	...	...	...	...	30,154	28,458
	Excluding old irrigation ...	1,24,680	40,094	11,049	29,045	23·30	9,35,723	5,19,854	4,15,869	111	18,919	17,198
Fuleli	Including old irrigation ...	...	8,48,042	3,26,087	5,21,955	...	...	...	...	...	360,507	383,548
	Excluding old irrigation ...	19,84,661	6,03,493	2,09,726	3,93,767	19·84	1,64,21,399	75,67,826	88,53,573	1,013	249,713	272,754
Sattah Canal	Including old irrigation ...	...	27,704	29,108	—1,404	...	...	...	...	...	16,505	12,416
	Excluding old irrigation ...	1,80,048	11,559	19,890	—8,331	...	98,020	93,696	4,324	37	6,964	2,875
Hasan Ali Canal ...	Including old irrigation ...	...	43,141	30,862	12,279	...	...	...	...	...	18,081	16,385
	Excluding old irrigation ...	3,04,805	37,225	27,404	9,821	3·22	2,93,982	1,74,002	1,19,980	95	15,243	13,547
Alibhar Kacheri Canal ...	Including old irrigation ...	...	27,391	6,643	20,748	...	...	...	...	...	15,481	12,533
	Excluding old irrigation ...	23,917	9,886	—2,623	12,509	52·30	2,44,158	99,886	1,44,272	59	—3,636	—6,584
Total ...	Including old irrigation ...	...	22,71,618	7,22,329	15,49,289	...	...	...	...	...	852,424	820,047
	Excluding old irrigation ...	48,32,494	16,88,942	5,20,597	11,68,345	24·18	5,05,32,007	1,87,95,525	3,17,36,482	1,912	557,882	525,505
DECCAN AND GUJARAT.												
Jamna Canals		10,41,089	6,866	6,104	762	0·07	2,68,212	4,97,950	—2,29,738	114	998	3,410
Parsul Tank		2,14,995	5,562	2,006	3,556	1·65	47,437	25,620	21,817	5	940	1,030
Paravara River Works - Ojhar Canal		3,47,550	15,175	6,207	8,968	2·58	2,53,807	3,25,035	—71,228	40	2,471	6,496
Bhatodi Tank		3,79,707	12,872	2,894	9,978	2·63	1,85,731	1,86,042	—311	10	1,068	1,156
Shirsuphal Tank		2,24,568	5,802	2,302	3,500	1·56	78,364	82,036	—3,672	13	1,095	344
Bhadalvadi		2,27,422	3,626	2,780	846	0·37	83,870	69,736	14,134	10	1,586	1,290
Ashti		8,36,091	22,306	8,216	14,090	1·69	1,79,808	2,21,936	—42,128	29	1,937	3,362
Upper Man River Works		4,39,286	10,194	3,887	6,307	1·44	1,25,905	1,64,425	—38,520	24	1,098	1,352
Yerla River Irrigation Works		7,64,870	22,803	6,442	16,361	2·14	3,16,246	2,95,402	20,844	37	3,684	4,591
Maini Tank		4,87,651	8,405	3,099	5,306	1·09	1,85,827	1,46,389	39,438	17	1,605	1,464
Madag Tank		1,67,598	2,612	1,632	980	0·58	88,253	84,148	4,105	9	613	663
Muchkundi Tank		1,58,707	1,608	317	1,291	0·81	11,202	12,161	—959	...	2	...
Gokak Canal, 1st Section and Storage Works		9,69,256	46,840	13,253	33,587	3·47	8,34,813	2,08,830	6,25,983	52	6,860	9,641
Wangroli Tank		2,61,262	1,106	4,319	—3,213	...	23,866	34,065	—10,199	8	2,775	3,140

STATEMENT No. III—*concld.*

Results of individual Minor Works for which capital and revenue accounts are kept during, and to the end of, 1911-12—concld.

Number of Works.	Minor Works.	Capital outlay, direct and indirect, to end of 1911-12.	Revenue Account for 1911-12. Gross revenue.	Revenue Account for 1911-12. Maintenance and working	Revenue Account for 1911-12. Net revenue	Percentage of net revenue on capital outlay.	Revenue Account to end of 1911-12. Gross revenue.	Revenue Account to end of 1911-12. Maintenance and working.	Revenue Account to end of 1911-12. Net revenue	Mileage in operation including distributaries.	Irrigated area. 1910-11.	Irrigated area. 1911-12.
		Rs.	Rs.	Rs.	Rs.		Rs.	Rs.	Rs.	Miles.	Acres.	Acres.
	BOMBAY—*contd.*											
	Deccan and Gujarat—*contd.*											
	Tranza Nagrama Tank	2,77,449	20	2,282	—2,262	...	4,511	20,773	—16,262	8	49	49
	Savli Tank	2,55,215	1,082	3,809	—2,727	...	11,287	12,074	—787	8	1,456	...
	Sahiat Tank	1,79,015	1,019	4,107	—3,088	...	1,492	7,856	—6,364	9	416	...
	Mhasva Tank	1,38,956	2,298	1,017	1,281	0·92	39,399	45,435	—6,036	7	353	488
	Pathri Tank	6,40,830	6,009	3,856	2,153	0·34	13,034	9,750	3,284	8	972	1,392
	Other Works (13)	6,89,194	19,892	17,468	2,424	0·35	5,04,027	3,64,094	1,39,933	44	3,925	3,203
	Total Deccan and Gujarat ...	87,00,711	1,96,097	95,997	1,00,100	1·15	32,57,091	28,13,757	4,43,334	452	33,903	43,071
	Total Bombay ... { Including old irrigation ...	...	24,67,715	8,18,326	16,49,389	...	...	...	...	...	886,327	863,118
	Total Bombay ... { Excluding old irrigation ...	1,35,33,205	18,85,039	6,16,594	12,68,445	9·37	5,37,89,098	2,16,09,282	3,21,79,816	2,364	591,785	568,576
	Grand Total ... { Irrigation { Including old irrigation ...	...	56,06,229	16,70,743	39,35,486	...	...	...	...	...	1,916,301	1,816,309
	Grand Total ... { Irrigation { Excluding old irrigation	3,82,75,570	43,95,999	14,43 771	29,52,228	7·71	11,50,17,455	4,77,01,993	6,73,15,462	4,321	1,403,954	1,304,117
	Grand Total ... { Navigation	2,53,03,229	6,61,811	5,37,583	1,24,228	0·49	3,63,57,690	2,15,75,924	1,47,81,766	1,571	...	...
	Total ... { Including old irrigation ...	...	62,68,040	22,08,326	40,59,714	...	...	...	...	...	1,916,301	1,816,309
	Total ... { Excluding old irrigation ...	6,35,78,799	50,57,810	19,81,354	30,76,456	4·84	15,13,75,145	6,92,77,917	8,20,97,228	5,892	1,403,954	1,304,117

In Madras and Bombay considerable [illegible] served by the canal systems are irrigated by old works of the capital cost of which there is no record. As the percentage of net revenue is based on the recorded capital outlay, [illegible] has hitherto been customary to exclude from this return particulars relating to old irrigation. Details regarding the revenue derived from this source are now given and are shown separately from the figures relating to the [illegible]w works.

Punjab Government Press, Lahore—1-8-13—[illegible]—[illegible].

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, AUGUST 8, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED JULY 26, 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

JUDICIAL.

Simla, the 17th July, 1913.

No. 1028.—In exercise of the powers conferred by section 17 of the Indian Arms Act, 1878 (XI of 1878), the Governor General in Council is pleased to direct that the following amendments shall be made in the Indian Arms Rules, 1909, namely :—

(1) In clause (*b*) of Rule 10, for the words "Tavoy or Mergui," the works "Tavoy, Mergui or Victoria Point" shall be substituted.

(2) In Rules 28 and 29, for the words and figures "Rule 33, sub-rules (2) and (4)," the words and figures "Rule 33, sub-rule (2)" shall be substituted.

(3) For sub-rule (4) of Rule 33, the following shall be substituted, namely :—

"A license shall not be granted under Rule 26, Rule 27, sub-rule (1), clause (*b*), or Rule 30, sub-rule (1), in respect of fire-arms and ammunition therefor by any Magistrate of a District in Burma without the previous sanction of the Commissioner."

(4) To sub-rule (3) of Rule 36, after the words "granted it," the following words shall be added, namely :—

"And in Burma any license to the grant of which the previous sanction of the Commissioner is required under Rule 33, sub-rule (4), may be renewed without the previous sanction of the Commissioner."

MEDICAL.

The 22nd July, 1913.

No. 540.—The services of Lieutenant-Colonel D. M. Davidson, M.B., I.M.S., are replaced at the disposal of the Government of the Punjab with effect from the 26th June 1913.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

STORES.

No. 5829-5876—11.

Simla, the 24th July, 1913.

RESOLUTION—By the Government of India, Department of Commerce and Industry.

The Governor-General in Council is pleased to direct that the rules for the supply of articles for the public service appended to this Resolution shall be substituted for the rules promulgated with the Resolution in this Department, No. 6847-6892—33, dated the 12th September 1912.

ORDER.—Ordered that this Resolution be communicated to all Departments of the Government of India, to all Local Governments and Administrations, to the Comptroller and Auditor General, to all Accountants General and Comptrollers, to all Heads of Departments subordinate to this Department, and to the Private and Military Secretaries to His Excellency the Viceroy.

Ordered, also, that the Resolution be published in the *Gazette of India* for general information.

RULES FOR THE SUPPLY OF ARTICLES FOR THE PUBLIC SERVICE.

Subject to the provisions of the General Rules specified below, and to any instructions regarding specific articles which have been, or may be, issued by the Government of India from time to time (*e.g.*, those relating to the supply of stationery), the following are the rules relating to the supply of articles required for the public service. These rules supersede all previous orders which are not explicitly continued :—

RULE 1.—*Articles manufactured in India from Indian materials.*

All articles which are produced in India in the form of raw material, or are manufactured in India from materials produced in India, should, by preference, be purchased locally, provided that the quality is sufficiently good for the purpose and the price not unfavourable.

RULE 2.—*Articles manufactured in India from imported materials.*

All articles manufactured in India from imported materials should, by preference, be purchased in India, subject, however, to the following conditions :—

(*a*) That a substantial part of the process of manufacture of the articles purchased has been performed in India.

(*b*) That the price is as low as that at which articles of similar quality can be obtained through the India Office.

(*c*) That the materials employed are subjected to such inspection and tests as may be prescribed by the Government of India.

Note.—The term "a substantial part of the process of manufacture" in clause (*a*) means that a substantial part of the preparation of the finished article must be performed in India, whether from raw materials or from component parts obtained in a finished state from other sources.

RULE 3.—*Articles which are not manufactured in India.*

Articles which are not manufactured in India should be obtained by indent upon the Store Department of the India Office, except in the following cases :—

(*a*) When the articles are already in India at the time of order, and their price and quality are not unfavourable as compared with those at which similar articles could be obtained through the India Office, and the cost of the supply does not exceed the limits prescribed at the end of Rule 13.

(*b*) In the case of important construction works let out on contract, articles not manufactured in India required for the construction of such works may be supplied by the contracting firm, subject to the following conditions:—

(i) That the firm is approved by the Government of India and is included in the list of firms so approved—*vide* Schedule B, Appendix 30, P. W. D. Code, Volume III.

(ii) That the materials are subject to the current specifications and tests prescribed by the Government of India.

Note.—Articles of clothing and equipment of European manufacture required for the Burma Police Department may be procured for the present without the intervention of the India Office.

RULE 4.—*Articles which should be purchased in India.*

The following articles, whether manufactured or produced in India or not, should be purchased in India, provided that they comply with the current specifications, are of the requisite quality, and can be obtained at a not unfavourable price :—

(*a*) Those of a perishable nature.

(*b*) Explosives.

(*c*) Block tin.

(*d*) Wines and spirits and English bottled beer for the use of Government hospitals in India.

(*e*) Kerosine oil.

(*f*) Plant and materials for electric installations intended to take current from existing centres; and small electrical power and lighting plants of not more than 25 kilowatt capacity, which involve the provision of generators and cables for distribution, provided they comply with the current specifications and tests prescribed by the Store Department of the India Office.

(*g*) Australian timber.

(*h*) Australian copper.

(*i*) Italian marble.

(*j*) British Columbian timber.

(*k*) Plant and materials for small gas installations the cost of which does not exceed Rs. 15,000.

(*l*) Such other classes of articles as may from time to time be prescribed by the Government of India. All such cases should be reported to the Secretary of State for his information.

RULE 5.—*Special purchases in India.*

When serious inconvenience to the public service would be caused by waiting to obtain an article from England through the Director-General of Stores, or when, owing to the greater promptitude of supply, an economy can be effected by purchasing in India articles which, under the foregoing rules, should be obtained through the Store Department, the purchase may be made in India, subject to Rule 13, provided that the articles are already in India at the time of order; but in such cases, if the value of the articles exceeds Rs. 750, the sanctioning officer should place on record the reasons which make the local purchase desirable. This record shall be available for the inspection of the Examiner of Accounts or the Supervising Officer when required.

RULE 6.—*Inter-departmental purchases.*

Nothing in the rules is to be deemed to prohibit the purchase of stores of European manufacture by one Department or Railway from another.

RULE 7.—*Method of obtaining stores not purchased in India.*

All articles which under the foregoing rules are not to be bought in India should be obtained by indent on the Store Department of the India Office, except any which the Secretary of State may have specially authorised the Government of India or its officers to purchase direct outside India. Such purchase is at present permissible in the case of the following articles :—

(i) Seeds.

(ii) Cinchona bark.

(iii) Articles for experimental or research purposes required by officers approved by the Government of India from time to time. A list of the officers thus approved is given in Appendix A.

(iv) Excise instruments and apparatus required by Provincial Excise Departments for experimental or research purposes.

(v) China, glass, cutlery, plate, crockery and perishable fabrics, including linen, for residences which are furnished by Government.

(vi) Australian timber.

(vii) Australian lead.

(viii) Such articles as Superintendents of Vaccine Depôts may require for the preparation of vaccine lymph (*e.g.*, lanoline and glycerine).

(ix) Chemicals and scientific apparatus of small value required by Government schools and colleges, which do not require careful inspection and testing.

(x) Articles required for Viceregal residences in special and urgent cases.

Note.—Payments for stores purchased under this rule should be made direct to the suppliers by the purchasing officers.

GENERAL RULES.

RULE 8.—*Forecast of requirements which should under the rules be complied with by indent on the India Office.*

All requirements should be fulfilled locally in accordance with the provisions of the Resolution No. 4941-4988—102, dated the 14th July 1909 provided that quality and price are not unfavourable and provided that such purchase does not violate any of the instructions contained in these rules. In cases, however, in which stores have to be obtained through the India Office, every effort should be made to foresee requirements so that the indents may be despatched in ample time. Persistent failure of any officer to make such efforts should be brought to notice by the Local Government or other authority, which may, at its discretion, cancel or reduce the powers of sanction entrusted to the officer at fault.

RULE 9.—*Time required to obtain stores from England.*

It may be assumed that the time required from the transmission of an indent upon the Secretary of State to the receipt of the stores is :—

Urgent telegraphic indents, not less than three months.

Ordinary indents, six to ten months, according to the article demanded.

For special stores, *e.g.*, large girders, rolling stock, &c., up to one year in ordinary times.

Note.—When ordinary stock articles conforming to well-recognised standards are required within a shorter period than three months, and the purchase has, under the rules, to be made through the India Office, the indenting officer shall, if he desires that the procedure indicated in the Resolution in the Department of Commerce and Industry, No. 6822-6869—37, dated the 13th September 1911, be adopted, state the fact clearly in his telegraphic indent.

RULE 10.—*Method of comparing prices.*

In all cases in which the selection of source of supply depends upon comparison of prices, the procedure to be adopted for such a comparison is as follows :—

(i) A reference should be made to Home prices as shown in the Rate Lists, and freight should be added at the lowest rates paid by the India Office together with 13*s.* 4*d.* per 100*l.* for interest, 2*s.* 2*d.* per 100*l.* for insurance, and 3*d.* per ton for freight brokerage.

(ii) In cases of important contracts, the prices ruling in the English market should be ascertained by telegraphic reference to the Director-General of Stores.

(iii) In cases where the necessary information as to Home prices is not available from the Rate Lists, the purchase in India shall be subject to the condition that the price is not unfavourable.

(iv) In order to arrive at the market value at an Indian port of the article imported from England the following charges shall be included :—

(*a*) Landing, wharfage, and port charges as shown in the Rate Lists.

(*b*) Customs duty, as shown in the Tariff to be applicable to the article in question, to be calculated on its cost *plus* the additional charges mentioned in the earlier part of this rule.

(v) The cost of carriage to site from port or place of manufacture, as the case may be, shall be taken into account.

RULE 11.—*Tests.*

Any articles purchased in India which should be tested are liable to the specifications laid down from time to time by competent authority, with the approval of the Secretary of State in Council, and should be required to pass the tests prescribed for such articles.

RULE 12.—*Firms from which iron and steel may be bought in India.*

Important iron and steel work, if purchased in India, should only be obtained from firms approved by the Local Government or Administration and entered in a Schedule as corrected from time to time by the Government of India. A list of approved firms is given in Appendix B.

Note.—By "important iron or steel work" are meant articles of iron or steel, which form important components of the project in hand, *e.g.*, bridge girders and roof trusses, built up in the firm's workshops and supplied, ready for erection, in such sections as may be convenient, and rolled steel beams, rails or other sections cut to length or otherwise prepared at the firm's workshops to suit the indenting officer's requirements. The intention of the rule is to ensure that parts, the accurate preparation of which is essential to the security of a project, shall be obtained only from firms which possess workshops and appliances capable of turning out work of the desired standard. The raw materials used may be either imported or of Indian manufacture, subject to the usual specifications.

RULE 13.—*Financial limits on powers of officers to make purchases in India.*

In the case of purchases made under Rules 1, 2 and 4, an officer's powers of purchase extend to the ordinary limits to which he is empowered to enter into contracts: but in the case of purchases made in India under Rules 3 (*a*) and 5, the limits for expenditure on any one article or on any number of similar articles purchased at one time are as follows :—

	Rs.
(*a*) *Civil Departments.*	
(i) Heads of Departments, Commissioners of Divisions, and other officers of or above the rank of Collector whom the Local Government may select	250
(ii) Other officers authorised to incur expenditure	50
(iii) Controller of Printing, Stationery and Stamps	1,000
(iv) Local Government or Administration :—	
1. In case of purchases made under Rule 3 (*a*)	3,000
2. In case of purchases made under Rule 5 ...	Full powers.

The powers of a Local Government are also exercised by the following officers :—

Surveyor-General of India.

Agricultural Adviser to the Government of India and Director of the Agricultural Research Institute, Pusa.

Director-General of Observatories.

Director-General, Posts and Telegraphs.

Political Resident, Persian Gulf.

Superintendent of Port Blair.

	For purchases made under Rule 3 (*a*). Rs.	For purchases made under Rule 5. Rs.
(*b*) *Public Works Department.*		
(i) Executive or Assistant Engineer holding charge of a Division	200	500
(ii) Superintending Engineer or Superintendent of Works	1,000	2,500
(iii) Local Government or Administration ...	3,000	Full powers.
(*c*) *Railway Department.*		
(i) Executive or Assistant Engineer holding charge of a Division on a line under construction or survey	200	500
(ii) Engineer-in-Chief holding charge of a line under construction or survey	1,000	2,500
(iii) Agent of an open line	1,000	2,500
(iv) Railway Board	3,000	Full powers.

Note.—Agents of open lines may delegate to their Engineers-in-Chief, Executive Engineers, or Assistant Engineers holding charge of a Division, such powers of purchase as they deem fit up to the limits specified for lines under construction, and to their Chief Store-keepers up to the limits specified for Executive Engineers.

	For purchases made under Rule 3 (a).	For purchases made under Rule 5.
	Rs.	Rs.
(d) Army Department.		
(i) Director-General of Military Works	3,000	Full powers
(ii) Divisional Commander	3,000	5,000
(iii) Officer Commanding an independent brigade; Director-General of Ordnance*; Director, Royal Indian Marine; Director-General, Indian Medical Service (for medical store depôts); Director, Army Clothing; and Director-General, Army Remount Department	2,500	2,500
(iv) Officer Commanding a brigade, other than those included in (iii); Director of Ordnance Factories; Director of Ordnance Inspection and Director of Ordnance Stores	1,000	1,000
(v) Superintendent, Army Clothing Factory; Supply and Transport Officer on special duty in Kashmir; and Deputy Director, Royal Indian Marine	500	500
(vi) Chief of the General Staff; Adjutant-General in India; Quartermaster-General in India; Director, Medical Services, Army Head-Quarters, India; Military Secretary to His Excellency the Commander-in-Chief; Military Accountant-General; Controller of Military Accounts, Eastern Circle; Controller of Military Supply Accounts; Controller of Military Accounts, Northern Circle; Controller of Military Accounts, Western Circle; Deputy Controller of Military Accounts in independent charge, Secunderabad Division; and Deputy Controller of Military Accounts in independent charge, Burma Division	250	250
(vii) Officer Commanding a station; Superintendent, Army Remount Department; Superintendent, Ordnance Factory; Government Inspector of Army Boots, Cawnpore; Assistant Directors of Ordnance Stores; Inspectors (Ordnance Department), the Assistant Inspector in charge of General Stores, and the Proof and Experimental Officers, Balasore; Medical Store-keeper; Commandant, Indian Staff College; and Divisional Supply Officer and Divisional Transport Officer	200	200
(viii) Officer Commanding a unit (including a hospital); Senior Medical Officer, Indian Medical Service of a station; Recruiting Staff Officer for Gurkhas at Gorakhpur; Officers (Ordnance or Departmental) incharge of depôts; Assistant Inspectors (Ordnance Department), with the exception of Assistant Inspector in charge of General Stores; Station Supply Officer; and Chief Chemical Examiner	20	20

Note.—These powers are subject to the rules of the budget system. No sanction may be given which will involve expenditure from the budget grant of any future year. The powers extend to each sanction, whether against Army, Military Works, or Marine funds.

In the case of the Ordnance, Medical Store and Remount Departments, the Divisional, Brigades and Station Commanders are not competent financial authorities.

*The Director-General of Ordnance has full powers of local purchase under Rule 5 in cases where purchases are required to meet urgent field service requirements or to replace issues from mobilization reserves for the equipment of troops suddenly ordered on field service.

RULE 14.—*Powers to sanction departures from the rules.*

The Government of India have power to sanction departures from the rules in case in which such departure is absolutely unavoidable, subject to a report to the Secretary of State if the expenditure exceeds Rs. 10,000.

LOCAL PURCHASE RULES.

APPENDIX A.

List of Officers referred to in Rule 7 (iii), who are authorised to obtain direct from manufacturers or dealers in England, America, Japan, or other foreign countries such articles as they may require for experimental or research purposes.

Superintendent, X-ray Institute.
Chemical Examiners.
Superintendents of Vaccine Depôts.
Principals of Medical Colleges.
Superintendents of Medical Schools.
Directors of Bacteriological, Pathological or Research Laboratories, including Officers in charge of Divisional and Brigade Laboratories.
Principal of Arts Colleges.
Principals of Technical and Industrial Institutes.
Directors of Industries.
Directors of Fisheries.
Sanitary Commissioners.
Director, Madras Cinchona Department.
Principals of Training Colleges.
Principals of Veterinary Colleges.
Officer in charge of the Experimental Sewage Installation at Poona.
Surveyor-General of India.
Inspector-General of Forests.
Director-General of Observatories.
Director of Botanical Survey.
Agricultural Adviser to the Government of India and Director, Agricultural Research Institute, Pusa.
Imperial Bacteriologist, Civil Veterinary Department.
Imperial Agricultural Chemist.
Imperial Mycologist.
Imperial Entomologist.
Directors of Agriculture.
President of the Imperial Forest Research Institute.
Principal of the Imperial Forest College.
Director, Geological Survey of India.
Railway Board.
Director of Public Instruction.

APPENDIX B.

List of Firms referred to in Rule 12.

In Bengal.

The Bengal Iron and Steel Company, Ltd., Barakar.
The Vulcan Iron Works, Ltd., of Calcutta.
Messrs. Burn & Co., of Calcutta.
Messrs. Jessop & Co., of Calcutta.
Messrs. John King & Co., of Calcutta.
Messrs. Ahmuty & Co., of Calcutta.
Messrs. Martin & Co., of Calcutta.
Messrs. Kessory Lall Mukerjee & Co., of Calcutta.
Messrs. Heatley and Gresham, Ltd., of Calcutta.
Messrs. A. and J. Main & Co., of Calcutta.
The Shalimar Works, Ltd., of Calcutta and Chittagong.
Messrs. T. E. Thomson & Co., Ltd., of Calcutta.
Messrs. W. Leslie & Co., of Calcutta.
Messrs. Balmer Lawrie & Co., of Calcutta.

In the Bombay Presidency.

Messrs. G. Gahagan & Co., of Bombay.
Messrs. Richardson and Cruddas, of Bombay.
Messrs. Alcock, Ashdown & Co., of Bombay.
Messrs. Garlick & Co., of Bombay.
Messrs. Marsland Price & Co., of Bombay.
Messrs. Sorabji Shapurji & Co., of Bombay.
Messrs. H. I. Dixon & Co., of Bombay.
Messrs. Cosser & Co., of Karachi
Messrs. McKenzie &, Co., of Karachi.
Messrs. B. R. Herman & Co., of Karachi.
The Engineering Co., of Karachi.

In the Madras Presidency.

Messrs. Massey & Co., of Madras.
Messrs. Oakes & Co., of Madras.
Arbuthnot's Industrials, Ltd.. Reliance Foundry, of Madras.
Messrs. Mansfield and Sons, of Madras.

In Burma.

The Irrawaddy Flotilla Co., Ltd.
Messrs. Bullock Brothers & Co., Ltd., Rangoon.
The Dunnedaw Engineering Works, Rangoon.
Messrs. Howarth, Erskine, Ltd., Singapore.
The Burma Engineering and Trading Co., Ltd., Rangoon.

In the United Provinces.

Messrs. T. Crowley & Co., Allahabad.
The Empire Engineering Co., Ltd., Cawnpore.
Lucknow Iron Works.

In the Punjab.

Messrs. N. D. Hari Ram and Brothers, Rawalpindi.

In Bihar and Orissa.

Messrs. Arthur Butler and Co., of Muzaffarpur.
The Tata Iron and Steel Co. Ltd., Sakchi.

Note.—Apart from the operation of Rules 3 (*b*) and 12, the selection of firms for the supply of stores, materials and machinery in general, whether of Indian or of other manufacture, is not restricted to the lists of firms contained in this appendix and in Schedule B of appendix 30, Public Works Department Code, Volume III. The purchase of materials and machinery in all circumstances other than those to which Rules 3 (*b*) and 12 apply, is governed by the remaining rules and, subject to these rules and to the necessary specifications, they may be purchased from any firm supplying stores of a suitable quality.

J. F. GRUNING,
Offg. Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 25th July, 1913.

APPOINTMENTS.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 625.—The services of Captain A. C. D. Thorne, 103rd Mahratta Light Infantry, are replaced at the disposal of the Government of the Punjab for employment as an officiating Assistant Cantonment Magistrate.

CANTONMENTS.

REGULATIONS.

No. 641—In exercise of the powers conferred by section 24 of the Cantonments Act, 1910 (XV of 1910), the Governor-General in Council is pleased to amend the Cantonment Code, 1912, to the extent set forth below :—

In Schedule VI, Annexure to Form "A," Condition IX (iv) shall be omitted.

In Schedule VI, Form "C" at the foot of page 203, the following note shall be inserted :—

"*Note.*—Condition VII (1) and (2), and Condition IX (1) and (2), first and second clauses.

These conditions provide for alternative leases. In the first the buildings on the site become the property of the Local Government on the termination of the period for which the lease is granted. In the second alternative the lease is renewable at the discretion of the Officer Commanding the Division, but when renewal is refused the lessee must deliver up the site and all buildings and erections thereon receiving compensation for such buildings and erections as have been made under proper authority. In the first alternative, Conditions VII (2) and IX (2) first and second clauses will be struck out, in the second alternative they will be retained and IX (1) struck out. In the latter form renewals can be granted by the Officer Commanding the Division from time to time as often as may be considered desirable since the second and subsequent leases may, if the Officer Commanding the Division thinks fit, contain the Conditions VII (2) and IX (2) first and second clauses."

In Condition IX (2) of Form "C" on page 204, against (iv) of the fourth clause the following marginal note shall be inserted :—

"To be struck out if Conditions VII (2), and IX (2), first and second clauses, are retained"

In Schedule VI, Form "D" at the foot of page 210, the following note shall be inserted :—

"*Note.*—Condition XXV (1) and (2), and Conditions XXVII (1) and (2), first and second clauses.

These conditions provide for alternative leases. In the first the buildings on this site become the property of the Local Government on the termination of the period for which the lease is granted. In the second alternative the lease is renewable at the discretion of the Officer Commanding the Division, but when renewal is refused the lessee must deliver up the site and all buildings and erections thereon receiving compensation for such buildings and erections as have been made under proper authority. In the first alternative Conditions XXV (2) and XXVII (2) first and second clauses will be struck out, in the second alternative they will be retained and XXVII (1) struck out. In the latter form renewals can be granted by the Officer Commanding the Division from time to time as often as may be considered desirable since the second and subsequent leases may, if the Officer Commanding the Division thinks fit, contain the Conditions XXV (2) and XXVII (2) first and second clauses."

In Condition XXVII (2) of Form "D" on page 211, against (iv) of the fourth clause, the following marginal note shall be inserted :—

"To be struck out if Conditions XXV (2), and XXVII (2), first and second clauses, are retained."

No. 642.—In exercise of the powers conferred by section 24 of the Cantonments Act, 1910 (XV of 1910), the Governor-General in Council is pleased to amend the Cantonment Code, 1912, to the extent set forth below :—

In Schedule VI, Lease Form "C," in the 14th line, for the words "Cantonment Authority of" the words "Officer Commanding——Division" shall be substituted.

No. 643.—In exercise of the powers conferred by section 24 of the Cantonments Act, 1910 (XV of 1910), the Governor-General in Council is pleased to amend the Cantonment Code, 1912, to the extent set forth below :—

In section 67, sub-section (1), after clause (*n*) the following clause shall be inserted:—

"(*o*) being the owner or person in charge of any dog or other animal, knows or has reason to believe, that such dog or animal has been bitten by an animal suffering or reasonably suspected to be suffering from rabies, and neglects to give immediate information of the fact to the Cantonment Magistrate, or gives information which is false ; or"

The present clauses (*o*), (*p*) and (*q*) shall be re-lettered (*p*), (*q*) and (*r*).

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICE.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language who are desirous of obtaining competent teachers :

ALLAHABAD.

1. M. Jawala Prasad, I ... ... Kasauli Hills. The Royal Scots Regiment, Sudder Bazar, Allahabad.
2. M. S. C. Bagchi ... ... Government Observatory, Allahabad.

AMBALA.

3. M. Mohd. Miyan Khan ... ... Sudder Bazar, Ambala.
4. M. Mohd. Akbar Khan ... ... The Oriental Lodge, Ambala.
5. M. Jawala Prasad, II ... ... B. I. Bazar, Ambala.

AMRITSAR.

6. M. Mohd. Ishaq ... ... Khazana Gate, Amritsar

CALCUTTA.

7. M. Mohd. Gholam Kibriya ... ... 17, Noorallah Doctor's Lane, Calcutta.
8. M. Badruddin Ahmed, B.A. ... ... 8, Mawlavi Imdad Ali's Lane, Calcutta.
9. M. Hossain Mirza ... ... 1, Syed Ismail Lane, Calcutta
10. M. Mohd. Israil Khan ... ... 15, Karaya Road, Balligunge, Calcutta.
11. M. Syed Nawab Ali ... ... 11, Colootola Street, Calcutta.
12. M. Wahidun Nabi Khan ... ... 88/1, Baitakkhana Road, Calcutta.
13. M. Mohd. Abdul Hamid ... ... 152, Harrison Road, Calcutta.
14. M. Daliluddin Ahmed ... ... 28/1, Kimber Street (Karaya), Calcutta.

DINAPORE.

15. M. Syed Hadi Hussain ... ... Orderly Bazar, Dinapore.

JHELUM.

16. M. Thakur Das Pahwa ... ... Officers' Munshi, Jhelum.

KASAULI.

17. M. Anand Sarup ... ... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt, Kasauli.

LAHORE CANTT.

18. M. J. Kishori Lal ... ... R. A. Bazar, Lahore Cantt.
19. M. Sham Lal Bhargava ... ... Dangar Street, Sudder Bazar, Lahore Cantt.

LUCKNOW.

20. M. Abdul Alim ... ... Near the Police Post, Husaingunge, Lucknow.
21. M. Mohd. Yaqub Khan ... ... Near Royal Hotel, Lucknow.

MURREE HILLS.

22. M. M. C. Saighal ... ... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

NOWSHERA.

23. M. Muhammad Din ... ... Pay Havildar and Head Clerk, 23rd Peshawar Mountain Battery, F. F.

PESHAWAR.

24. M. Bodh Raj ... ... Royal Sussex Regiment (or Sudder Bazar), Peshawar.
25. M. Ahmad Din ... ... 81, Cantonments, Peshawar.

RAWALPINDI.

26. M. Ghulam Muhiuddin ... ... R. A. Brigade Munshi, Rawalpindi.
27. M. Ghulam Rasul... ... ... Sudder Bazar, Rawalpindi.
28. M. Fazal Ahmed ... ... Persian House, Rawalpindi.

ROORKEE CITY.

29. M. Fazl-i-Haq ... ... Mahalla Satti, Roorkee City.

SUBATHU.

30. M. Gulzar Lal ... ... South Lancashire Regiment, Subathu.

In addition to the above, the following, who were examined in Urdu previous to the institution of the examination mentioned in the above India Army Order, are also, in the opinion of the Board of Examiners, qualified to teach :

CALCUTTA.

1. M. Mohd. Arif ... ... 12, Harinbari Lane, Calcutta.
2. M. Syed Abu Zafar ... ... 36, European Asylum Lane, Calcutta.
3. M. Reza Ali Wahshat, M.R.A.S. ... 14, Karaya Road, Balligunge, Calcutta.
4. M. Badru-z-Zaman ... ... 29, Ice Factory Lane, Entaly, Calcutta
5. M. Abdul Badi ... ... 5, Ramsanker Roy's Lane, Calcutta.
6. M. A. M. F. Wahhab ... ... Librarian, Calcutta Madrasah, Calcutta.
7. M. Habibun Nabi Khan Saulat ... 89, Jhowtollah Road, Balligunge, Calcutta.
8. M. Akmal Ali Akmal ... ... 9, Dr. Karam Hossain's Lane, Calcutta.
9. M. Abdul Karim Nashter ... ... 1, Jhowtollah Lane, Balligunge, Calcutta.
10. M. Mohd. Yusuf Khan ... ... 15, Karaya Road, Balligunge, Calcutta.

N.B.—It is requested that Munshis who have passed this examination and whose names do not appear above, should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED JULY 26, 1913.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

TARIFF VALUATION OF SUGAR.

The following statement shows in respect of each of the descriptions of sugar distinguished in the Tariff Schedule IV (excepting molasses and all other kinds of sugar), *firstly*, the total imports into India in the month of June 1913 and the average value per cwt. as calculated on the returns received from the Customs Houses ; and, *secondly*, a running total showing the total imports into India since the beginning of the year (1st October to 30th September) and the average net value per cwt. so far established. It is published in conformity with the procedure laid down in Customs Circular No. V of 1911 in order to enable merchants to compute the probable rate of duty for the year 1914 :—

Description of sugar.	Imported during the month of June 1913.		Imported since 1st October 1912.	
	Quantity.	Average net value per cwt.	Quantity.	Average net value per cwt.
	Cwt.	Rs. A.	Cwt.	Rs. A.
Sugar, crystallised, beet	48,790	10 4	1,493,161	9 12
" and soft, refined in China ...	87	16 0	21,309	11 4
" from Java, 23 Dutch Standard and above.	85,258	10 4	3,258,998	9 12
" from Java, 16 to 22 Dutch Standard.	46,007	9 8	1,637,187	9 0
" from Java, 15 Dutch Standard and under.	...	...	45,062	8 12
" from Mauritius equal to 16 Dutch Standard and over.	116,844	9 12	2,517,887	9 8

FREDERICK NOËL-PATON,

Director-General of Commercial Intelligence.

J. F. GRUNING,

Offg. Secretary to the Government of India.

CALCUTTA ;

The 23rd July 1912.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

(CIVIL VETERINARY ADMINISTRATION.)

No. 1816, dated Simla, the 25th July 1913.

The following order issued by the Board of Agriculture and Fisheries, London, is published for general information :—

(8873.)

ORDER OF THE BOARD OF AGRICULTURE AND FISHERIES.

(DATED 26TH JUNE 1913.)

The Board of Agriculture and Fisheries, by virtue and in exercise of the powers vested in them under the Diseases of Animals Acts, 1894 to 1911, and of every other power, enabling them in this behalf, do order, and it is hereby ordered, as follows :

Importation.

1. (1) The date on which Chapter I (*Importation*) of the Horses (Importation and Transit) Order of 1912 (hereinafter referred to as the principal Order) shall come into operation is hereby further altered to the first day of October, nineteen hundred and thirteen.

(2) The first day of October, nineteen hundred and thirteen, shall be substituted for the first day of January, nineteen hundred and thirteen, in the Schedule to the principal Order (*Orders Revoked*).

Food and Water.

2. The provisions of paragraph (ix) ((*Food and Water*) of Article 13 of the principal Order shall not, until the first day of August, nineteen hundred and thirteen, apply to a vessel on which horses, asses, or mules are carried to any port in Great Britain or from any such port to any port in the British Islands.

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this twenty-sixth day of June, nineteen hundred and thirteen.

(L. S.)

A. W. Anstruther,
Assistant Secretary.

J. H. KERR,
Offg. Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED AUGUST 2, 1913.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 29th July, 1913.

No. 1706-*Est.-A.*—Mr. F. A. Leslie-Jones, Principal, Aitchison College, Lahore, is granted furlough for four months and one day, combined with the College vacation of two and a half months, with effect from the 19th March 1913, under Articles 308 (*b*), 233, and 277 of the Civil Service Regulations.

No. 1707-*Est.-A.*—Mr. J. Kelly, Assistant Principal, Aitchison College, Lahore, is appointed to officiate as Principal of the College with effect from the 19th March 1913.

A. H. McMAHON,
Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATION.

LEAVE AND APPOINTMENTS.

Simla, the 31st July, 1913.

No. 933-*F.E.*—With reference to rule XIV of the rules promulgated with Resolution No. 281-F.E., dated the 17th January 1911, published on pages 42-44 of the *Gazette of India*, Part I, dated the 21st January 1911, it is hereby notified for general information that an examination will be held at Calcutta during the second half of December 1913, for the selection of officers to fill two vacancies in the General List of the Indian Finance Department. Only candidates who have been nominated by the Government of India in the Finance Department in accordance with the rules quoted will be entitled to compete at the examination.

J. B. BRUNYATE,

Offg. Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 30th July, 1913.

No. 35.—With reference to the Public Works Department Notification No. 7, dated the 28th February 1913, the services of Mr. Bhagwati Prasad Varma, Executive Engineer, are replaced at the disposal of the Government of the Punjab, Public Works Department, Irrigation Branch, with effect from the 25th June 1913.

R. P. RUSSELL,

Offg. Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

POST OFFICE.

Simla, the 2nd August, 1913.

No. 6160-86.—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), as amended by the Indian Post Office (Amendment) Act, 1912 (III of 1912), the Governor-General in Council is pleased to direct that the following amendments shall be made in the rules issued with the Notification of the Government of India in the Department of Commerce and Industry, No. 2883—45, dated the 26th April 1913, namely:—

(1) In rule 183 for the words "such skins and feathers found" the following words shall be substituted, namely:—"postal articles reasonably believed or found to contain such skins and feathers."

(2) In rule 185 for the words "such articles found" the following words shall be substituted, namely:—"postal articles reasonably believed or found to contain such goods.

(3) In rule 186 for the words "such copies of publications found" the following words shall be substituted, namely:—"postal articles reasonably believed or found to contain such copies of publications."

J. F. GRUNING,

Offg. Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATIONS.

SANITARY.

Simla, the 29th July, 1913.

No. 1241.—Lieutenant-Colonel Sir David Semple, Kt., M.D., R.A.M.C. (retired), Director of the Central Research Institute, Kasauli, has been permitted to retire with effect from the 19th March 1913.

No. 1242.—Major W. F. Harvey, M.B., I.M.S., is confirmed in the appointment of Director of the Central Research Institute, Kasauli, with effect from the 19th March 1913.

The 31st July, 1913.

No. 1405.—Captain J. Cunningham, M.D., I.M.S., Assistant Director, Central Research Institute, Kasauli, is placed on special duty under the orders of the Director-General, Indian Medical Service, with effect from the 10th July 1913.

L. C. PORTER,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 1st August, 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

1st Punjab Volunteer Rifles.

No. 659.—Captain Frederick Crighton Waller is granted the honorary rank of Major.

MEDALS AND DECORATIONS.

No. 668.—His Excellency the Governor-General of India is pleased to confer the Volunteer Officers' Decoration upon the undermentioned officers:—

Punjab Light Horse.

Major John Powell.

Honorary Lieutenant (Quartermaster) George Edmond Coates.

W. R. BIRDWOOD, *Major-General,*

Secretary to the Government of India.

Punjab Government Press, Lahore—8-8-13—1046—860.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, AUGUST 15, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 2, 1913.

BOARD OF EXAMINERS.

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2. M. S. C. Bagchi ...	...	Government Observatory, Allahabad.
AMBALA.		
3. M. Mohd. Miyan Khan ...	...	Sudder Bazar, Ambala.
4. M. Mohd Akbar Khan ...	...	The Oriental Lodge, Ambala.
5. M. Jawala Prasad, II ...	...	B. I. Bazar, Ambala.
AMRITSAR.		
6. M. Mohd. Ishaq ...	...	Khazana Gate, Amritsar
CALCUTTA.		
7. M. Mohd. Gholam Kibriya ...	...	17, Noorallah Doctor's Lane, Calcutta.
8. M. Badruddin Ahmed, B.A. ...	...	8, Mawlavi Imdad Ali's Lane, Calcutta.
9. M. Hossain Mirza ...	...	1, Syed Ismail Lane, Calcutta
10. M. Mohd. Israil Khan ...	...	15, Karaya Road, Balligunge, Calcutta.
11. M. Syed Nawab Ali ...	...	11, Colootola Street, Calcutta.
12. M. Wahidun Nabi Khan ...	...	88/1, Baitakkhana Road, Calcutta.
13. M. Mohd. Abdul Hamid ...	...	152, Harrison Road, Calcutta.
14. M. Daliluddin Ahmed ...	...	28/1, Kimber Street (Karaya), Calcutta.
DINAPORE.		
15. M. Syed Hadi Hussain ...	...	Orderly Bazar, Dinapore.
JHELUM.		
16. M. Thakur Das Pahwa ...	...	Officers' Munshi, Jhelum.
KASAULI.		
17. M. Anand Sarup ...	...	C/o Munshi Kashi Nath, Dagshai Hills, or Depôt, Kasauli.
LAHORE CANTT.		
18. M. J. Kishori Lal ...	...	R. A. Bazar, Lahore Cantt.
19. M. Sham Lal Bhargava ...	...	Dangar Street, Sudder Bazar, Lahore Cantt.

LUCKNOW.

20. M. Abdul Alim ...	...	... Near the Police Post, Husaingunge, Lucknow.
21. M. Mohd. Yaqub Khan	...	... Near Royal Hotel, Lucknow.

MURREE HILLS.

22. M. M. C. Saighal ...	...	... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

NOWSHERA.

23. M. Muhammad Din ...	...	... Pay Havildar and Head Clerk, 23rd Peshawar Mountain Battery, F. F.

PESHAWAR.

24. M. Bodh Raj ...	...	... Royal Sussex Regiment (or Sudder Bazar), Peshawar.
25. M. Ahmad Din	...	... 81, Cantonments, Peshawar.

RAWALPINDI.

26. M. Ghulam Muhiuddin	...	... R. A. Brigade Munshi, Rawalpindi.
27. M. Ghulam Rasul...	...	... Sudder Bazar, Rawalpindi.
28. M. Fazal Ahmed ...	...	... Persian House, Rawalpindi.

ROORKEE CITY.

29. M. Fazl-i-Haq ...	...	... Mahalla Satti, Roorkee City.

SUBATHU.

30. M. Gulzar Lal ...	...	... South Lancashire Regiment, Subathu.

In addition to the above, the following, who were examined in Urdu previous to the institution of the examination mentioned in the above India Army Order, are also, in the opinion of the Board of Examiners, qualified to teach :

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2. M. Syed Abu Zafar	...	... 36, European Asylum Lane, Calcutta.
3. M. Reza Ali Wahshat, M.R.A.S.		... 14, Karaya Road, Balligunge, Calcutta.
4. M. Badru-z-Zaman	...	... 9, Ice Factory Lane, Entaly, Calcutta.
5. M. Abdul Badi ...	...	... 5, Ramsanker Roy's Lane, Calcutta.
6. M. A. M. F. Wahhab	...	... Librarian, Calcutta Madrasah, Calcutta.
7. M. Habibun Nabi Khan Saulat		... 89, Jhowtollah Road, Balligunge, Calcutta.
8. M. Akmal Ali Akmal	...	... 9, Dr. Karam Hossain's Lane, Calcutta.
9. M. Abdul Karim Nashter	...	... 1, Jhowtollah Lane, Balligunge, Calcutta.
10. M. Mohd. Yusuf Khan	...	... 15, Karaya Road, Balligunge, Calcutta.

N.B.- It is requested that Munshis who have passed this examination and whose names do not appear above should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

FROM THE "GAZETTE OF INDIA," DATED AUGUST 9, 1913.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

TELEGRAPHS.

Simla, the 9th August, 1913.

No. 6370-114.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act. 1885 (XIII of 1885), the Governor General in Council is pleased to direct that the following amendment shall be made in the rules published with the Notification of the Government of India in the Department of Commerce and Industry, No. 6375-187 (Telegraphs), dated the 16th of September 1909, namely :

In Rule 11, after the words "other Telegraph Offices" the following shall be added:

"or Post Offices which receive inland telegrams and despatch them by telegraph messenger without additional charge to the nearest Telegraph office for onward transmission."

J. F. GRUNING,

Offg. Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATIONS.

BOOKS.

Simla, the 8th August, 1913.

No. 405.—The following Order of His Majesty in Council giving effect to the accession of the Netherlands on behalf of Surinam to the International Copyright Union published in the London Gazette of the 17th June 1913, is re-published for general information:

At the Court at *Buckingham Palace*, the 13th day of June 1913.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY.

Lord President.
Lord Chamberlain.
Lord Welby.
Lord Ashby St. Ledgers.
Lord Islington.
Sir Samuel W. Griffith.
Mr. J. Herbert Lewis.
Sir Alfred M. Mond, *Bart.*

Lord Justice Swinfen Eady.

WHEREAS His Majesty, by virtue of the authority conferred on Him by the Copyright Act, 1911, and having regard to the provisions of the Berlin Copyright Convention, was pleased to make an Order in Council, dated the 24th day of June 1912 (hereinafter called the Principal Order), extending the protection of the said Act to certain classes of works to which protection is guaranteed by the said Convention.

And whereas by Orders in Council, dated the 17th day of March 1913, and the 11th day of April 1913, the provisions of the Principal Order were extended, subject to certain modifications, to Denmark, the Netherlands, the Netherlands East Indies, and the Colony of Curaçao.

And whereas the Kingdom of the Netherlands has acceded on behalf of the Colony of Surinam to the said Berlin Copyright Convention, subject to the reservations mentioned in the Schedule to this Order:

Now, therefore, His Majesty, by and with the advice of His Privy Council, and by virtue of the authority conferred upon Him by the Copyright Act, 1911, is pleased to order, and it is hereby ordered, as follows:

The Principal Order shall extend to the Colony of Surinam as if it were amongst the foreign countries of the Copyright Union therein named, subject to the following modifications:

(*a*) The provisions of Article (2), Proviso (*iii*) (*b*), and of Article (2), Proviso (*iii*) (*c*), of the Principal Order shall apply as if the Colony of Surinam were included amongst the foreign countries named in those provisions.

(*b*) In the application to works of which the country of origin is the Colony of Surinam of Section 1 (2) (*d*) and 19 of the Copyright Act, 1911, the date of this Order shall be substituted for the commencement of the Act in Sections 19 (7) and 19 (8) wherever that expression occurs, and the 1st April 1913, for the passing of the Act.

(*c*) In the application to such works of the provisions of Section 24 of the Copyright Act, 1911, the date of this Order shall be substituted for the commencement of the Act wherever that expression occurs in Sub-section (1) (*a*), and for the 26th July 1910, in Sub-section (1) (*b*).

(*d*) In the application to such works of the provisions of Article 3 of the Principal Order the date of this Order shall be substituted for the commencement of the Principal Order.

And the Lords Commissioners of His Majesty's Treasury are to give the necessary orders accordingly.

Almeric Fitzroy.

SCHEDULE.

RESERVATIONS MADE TO THE BERLIN CONVENTION.

Country.	Subject.	Substituted provisions of Berne Convention and Additional Act of Paris.
Netherlands	Translating right	Article 5 of the Berne Convention as amended by the Additional Act.
	Newspaper and Magazine Articles	Article 7 of the Berne Convention as amended by the Additional Act.
	Performing right as regards translations.	Article 9, paragraph (2), of the Berne Convention.

ECCLESIASTICAL.

The 8th August, 1913.

No. 406.—The following programme of the proposed visitation tour of the Most Reverend the Lord Bishop of Calcutta and Metropolitan in India and Ceylon is published for general information :

			H. M.	
31st July ...	Thursday ...	Leave Calcutta	8 51	
2nd August ...	Saturday ...	Arrive Simla ...	14 20	
12th " ...	Tuesday ...	Leave Simla ...	1 30	Visiting Sanawar and Jamalpur.
* *	* *	* *	* *	* *

L. C. PORTER,

Secretary to the Government of India.

Punjab Government Press, Lahore—15-8-13—1406—860.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, AUGUST 22, 1913.

PART II.

Republication from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 9, 1913.

BOARD OF EXAMINERS.

NOTICE.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language who are desirous of obtaining competent teachers :

		ALLAHABAD.
1.	M. Jawala Prasad, I ...	... Kasauli Hills. The Royal Scots Regiment, Sudder Bazar, Allahabad.
2.	M. S. C. Bagchi	... Government Observatory, Allahabad.
		AMBALA.
3.	M. Mohd. Miyan Khan ...	... Sudder Bazar, Ambala.
4.	M. Mohd. Akbar Khan ...	... The Oriental Lodge, Ambala.
5.	M. Jawala Prasad, II ...	... B. I. Bazar, Ambala.
		AMRITSAR.
6.	M. Mohd. Ishaq	... Khazana Gate, Amritsar.
		CALCUTTA.
7.	M. Mohd. Gholam Kibriya ...	... 17, Noorallah Doctor's Lane, Calcutta.
8.	M. Badruddin Ahmed, B.A. ...	... 8, Mawlavi Imdad Ali's Lane, Calcutta.
9.	M. Hossain Mirza ...	... 1, Syed Ismail Lane, Calcutta.
10.	M. Mohd. Israil Khan ...	... 15, Karaya Road, Balligunge, Calcutta.
11.	M. Syed Nawab Ali ...	... 11, Colootola Street, Calcutta.
12.	M. Wahidun Nabi Khan ...	... 88/1, Baitakkhana Road, Calcutta.
13.	M. Mohd. Abdul Hamid ...	... 152, Harrison Road, Calcutta.
14.	M. Daliluddin Ahmed ...	... 28/1, Kimber Street (Karaya), Calcutta.
		DINAPORE.
15.	M. Syed Hadi Hussain ...	... Orderly Bazar, Dinapore.
		JHELUM.
16.	M. Thakur Das Pahwa ...	... Officers' Munshi, Jhelum.
		KASAULI.
17.	M. Anand Sarup	... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt, Kasauli.
		LAHORE CANTT.
18.	M. J. Kishori Lal ...	... R. A. Bazar, Lahore Cantt.
19.	M. Sham Lal Bhargava ...	... Dangar Street, Sudder Bazar, Lahore Cantt.

LUCKNOW.

20.	M. Abdul Alim	... Near the Police Post, Husaingunge, Lucknow.
21.	M. Mohd. Yaqub Khan ...	... Near Royal Hotel, Lucknow.

MURREE HILLS.

22.	M. M. C. Saighal	... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

NOWSHERA.

23.	M. Muhammad Din	... Pay Havildar and Head Clerk, 23rd Peshawar Mountain Battery, F. F.

PESHAWAR.

24.	M. Bodh Raj	... Royal Sussex Regiment (or Sudder Bazar), Peshawar.
25.	M. Ahmad Din ...	... 81, Cantonments, Peshawar.

RAWALPINDI.

26.	M. Ghulam Muhiuddin ...	... R. A. Brigade Munshi, Rawalpindi.
27.	M. Ghulam Rasul... ...	... Sudder Bazar, Rawalpindi.
28.	M. Fazal Ahmed	... Persian House, Rawalpindi.

ROORKEE CITY.

29.	M. Fazl-i-Haq	... Mahalla Satti, Roorkee City.

SUBATHU.

30.	M. Gulzar Lal	... South Lancashire Regiment, Subathu.

In addition to the above, the following, who were examined in Urdu previous to the institution of the examination mentioned in the above India Army Order, are also, in the opinion of the Board of Examiners, qualified to teach :

CALCUTTA.

1.	M. Mohd. Arif	... 12, Harinbari Lane, Calcutta.
2.	M. Syed Abu Zafar ...	... 36, European Asylum Lane, Calcutta.
3.	M. Reza Ali Wahshat, M.R.A.S.	... 14, Karaya Road, Balligunge, Calcutta.
4.	M. Badru-z-Zaman ...	... 9, Ice Factory Lane, Entaly, Calcutta.
5.	M. Abdul Badi	... 5, Ramsanker Roy's Lane, Calcutta.
6.	M. A. M. F. Wahhab ...	... Librarian, Calcutta Madrasah, Calcutta.
7.	M. Habibun Nabi Khan Saulat	... 89, Jhowtollah Road, Balligunge, Calcutta.
8.	M. Akmal Ali Akmal	... 9, Dr. Karam Hossain's Lane, Calcutta.
9.	M. Abdul Karim Nashter ...	... 1, Jhowtollah Lane, Balligunge, Calcutta.
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N.B.—It is requested that Munshis who have passed this examination and whose names do not appear above, should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

Punjab Government Press, Lahore—22-8-13—1404—860.

Government Gazette
PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, AUGUST 29, 1913.

PART II.

Republication from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 16, 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

MEDICAL.

Simla, the 14th August, 1913.

No. 615.—Major W. H. C. Forster, I.M.S., Professor of Pathology, Medical College, Lahore, is granted combined leave, with effect from the 10th October 1913, *viz.*—Furlough for one year with study leave for one year in continuation.

POLITICAL.

Nos. 427-431.

The 8th August 1913.

RESOLUTION—By the Government of India, Home Department.

It has come to the notice of the Government of India that some misapprehension exists with regard to the intention of the orders governing the grant of certificates of identity to Indian students and others, contained in the resolutions of the Home Department No. 2831-2842, dated the 8th December 1899, Nos. 481-492, dated the 15th November 1901, and Nos. 609-620, dated the 8th June 1910.

2. The orders contained in those resolutions were intended to apply only to Indians of some status proceeding to Europe, the United States of America, or Japan for the purposes of study, for pleasure or on business, and not to persons desirous of emigrating to those or other countries in search of manual employment, even though sufficiently well-to-do to be able to pay their own fares. The latter class of persons, instead of receiving the encouragement, or assistance which may be implied by the issue to them of certificates of identity, should be warned of the attendant risks and strongly advised not to emigrate unless they have received definite and reliable information that remunerative work will be found for them in the country to which they are destined.

3. Local Governments and Administrations are requested to give wide publicity to the tenour of these orders.

ORDER.—Ordered that this resolution be communicated to all local Governments* and Administrations for information and guidance.

Ordered, also, that a copy be sent to the Foreign Department for information and communication to Political Officers. Also† to the Commerce and Industry Department.

Ordered, also, that the resolution be published in the *Gazette of India* for general information.

H. WHEELER,

Secretary to the Government of India.

*Madras.
Bombay.
Bengal.
Bihar and Orissa,
United Provinces.
Punjab.
Burma.
Chief Commissioner, Central Provinces.
Chief Commissioner, North-West Frontier Province.
Chief Commissioner, Assam.
Chief Commissioner, Delhi.
Chief Commissioner, Coorg.

†With a copy of the Despatch from the Secretary of State, No. 155 (Public), dated the 20th June 1913.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

SANITARY.

Simla, the 13th August, 1913.

No. 1308.—Captain F. W. Cragg, M.D., I.M.S., is appointed to act as Assistant Director, Central Research Institute, Kasauli, during the absence on deputation of Captain J. Cunningham, M.D., I.M.S., or until further orders.

L. C. PORTER,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 15th August, 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

Punjab Light Horse.

No. 695.—Sir Louis William Dane, G.C.I.E., C.S.I., resigns his appointment as Honorary Colonel of the Corps. Dated the 1st June 1913.

The Hon'ble Sir Michael Francis O'Dwyer, K.C.S.I., Lieutenant-Governor of the Punjab, to be Honorary Colonel of the Corps, *vice* Sir Louis William Dane, G.C.I.E., C.S.I., resigned. Dated the 1st June 1913.

W. R. BIRDWOOD, *Major-General,*

Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICE.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language who are desirous of obtaining competent teachers :

ALLAHABAD.

1. M. Jawala Prasad, I ... ... Kasauli Hills. The Royal Scots Regiment, Sudder Bazar, Allahabad.
2. M. S. C. Bagchi ... ... Government Observatory, Allahabad.

AMBALA.

3. M. Mohd. Miyan Khan ... ... Sudder Bazar, Ambala.
4. M. Mohd. Akbar Khan ... ... The Oriental Lodge, Ambala.
5. M. Jawala Prasad, II ... ... B. I. Bazar, Ambala.

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6. M. Mohd. Ishaq ... ... Khazana Gate, Amritsar.

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7. M. Mohd. Gholam Kibriya ... ... 17, Noorallah Doctor's Lane, Calcutta.
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10. M. Mohd. Israil Khan ... ... 15, Karaya Road, Balligunge, Calcutta.
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DINAPORE.

15. M. Syed Hadi Hussain ... ... Orderly Bazar, Dinapore.

JHELUM.

16. M. Thakur Das Pahwa ... ... Officers' Munshi, Jhelum.

KASAULI.

17. M. Anand Sarup ... ... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt Kasauli.

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19. M. Sham Lal Bhargava ... ... Dangar Street, Sudder Bazar, Lahore Cantt.

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22. M. M. C. Saighal ... ... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

NOWSHERA.

23. M. Muhammad Din ... ... Pay Havildar and Head Clerk, 23rd Peshawar Mountain Battery, F. F.

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24. M. Bodh Raj ... ... Royal Sussex Regiment (or Sudder Bazar), Peshawar.
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27. M. Ghulam Rasul... ... ... Sudder Bazar, Rawalpindi.
28. M. Fazal Ahmed ... ... Persian House, Rawalpindi.

ROORKEE CITY.

29. M. Fazl-i-Haq ... ... Mahalla Satti, Roorkee City.

SUBATHU.

30. M. Gulzar Lal ... ... South Lancashire Regiment, Subathu.

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2. M. Syed Abu Zafar ... ... 36, European Asylum Lane, Calcutta.
3. M. Reza Ali Wahshat, M.R.A.S. ... 14, Karaya Road, Balligunge, Calcutta.
4. M. Badru-z-Zaman ... ... 9, Ice Factory Lane, Entaly, Calcutta.
5. M. Abdul Badi ... ... 5, Ramsanker Roy's Lane, Calcutta.
6. M. A. M. F. Wahhab ... ... Librarian, Calcutta Madrasah, Calcutta.
7. M. Habibun Nabi Khan Saulat ... 89, Jhowtollah Road, Balligunge, Calcutta.
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C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

FROM THE "GAZETTE OF INDIA," EXTRAORDINARY, DATED AUGUST 18, 1913.

HOME DEPARTMENT.

NOTIFICATION.

POLITICAL.

No. 465.

Simla, the 17th August, 1913.

Whereas by the notification of the Governor-General in Council, No. 384 of the 16th July, 1913, the pamphlet entitled "Come over into Macedonia and help us", published by "Le Comité de Publication D. A. C. B. ", 15 Rue Djagal Oglou, Constantinople was declared to be forfeited to His Majesty; and

Whereas subsequent to the promulgation of the aforesaid notification, it was brought to the notice of the Governor-General in Council that the said pamphlet had been reprinted and published in the Supplements to the "Comrade" newspaper published at Delhi, dated the 17th, 24th and 31st May and 7th June, 1913.

Now therefore in pursuance of the notification of the Governor-General in Council, No. 1008, dated the 1st October, 1912, issued in accordance with the provisions of section 3 of the Delhi Laws Act, 1912 (XIII of 1912), and in exercise of the powers conferred by section 12 of the Indian Press Act, 1910 (I of 1910), the Governor-General in Council is pleased to declare the said Supplements to the "Comrade" published on the said dates containing a reprint of the said pamphlet to be forfeited to His Majesty on the ground that they contain words and illustrations which are likely or may have a tendency to bring into hatred or contempt certain classes of His Majesty's subjects in British India.

No. 466.

Whereas by the notification of the Governor-General in Council, No. 384 of the 16th July, 1913, the pamphlet entitled "Come over into Macedonia and help us", published by "Le Comité de Publication D. A. C. B.", 15 Rue Djagal Oglou, Constantinople, was declared to be forfeited to His Majesty; and

Whereas subsequent to the promulgation of the aforesaid notification, it was brought to the notice of the Governor-General in Council that a translation of the said pamphlet had been printed and published in the issues of the "Hamdard" newspaper published at Delhi, bearing the following dates, namely: the 6th, 7th, 8th, 14th, 17th, 19th, 21st, 24th, 25th, 26th, 27th, and 28th June, 1913,

Now therefore in pursuance of the notification of the Governor-General in Council, No. 1008, dated the 1st October, 1912, issued in accordance with the provisions of section 3 of the Delhi Laws Act, 1912 (XIII of 1912), and in exercise of the powers conferred by section 12 of the Indian Press Act, 1910 (I of 1910), the Governor-General in Council is pleased to declare the said issues of the "Hamdard" newspaper bearing the said dates to be forfeited to His Majesty on the ground that they contain words or words and illustration which are likely or may have a tendency to bring into hatred or contempt certain classes of His Majesty's subjects in British India.

H. WHEELER,

Secretary to the Government of India.

Punjab Government Press, Lahore—29-8-13—1522—860.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, SEPTEMBER 5, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," AUGUST 23, 1913.

HOME DEPARTMENT.

NOTIFICATION.

JUDICIAL.

Simla the 20th August 1913.

No. 1309.—The services of Khan Bahadur Khwaja Tassaduk Hussain, Judge, Small Cause Court, Delhi, are replaced at the disposal of the Government of the Punjab, with effect from the 16th May 1913.

H. WHEELER,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 20th August 1913.

No. 1554 *G.*—In exercise of the power conferred by section 17 of the Indian Arms Act, 1878 (XI of 1878), the Governor General in Council is pleased to direct that the following addition shall be made to Schedule VI of the Indian Arms Rules, 1909 :—

(14) The Commanding Officer of a Gurkha Battalion.	Nepal	For the export of kukris in the possession of discharged Gurkha sepoys on their departure from the Battalion to Nepal.

A. H. McMAHON,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 22nd August 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

1st Punjab Volunteer Rifles.

No. 718.—John Henry Bridge to be Captain, to fill an existing vacancy. Dated the 1st April 1913.

Simla Volunteer Rifles.

No. 719.—Second Lieutenant James William Fairley to be Lieutenant, to fill an existing vacancy. Dated the 1st June 1913.

Walter Hugh John Wilkinson to be Second-Lieutenant, *vice* J. W. Fairley, promoted Dated the 1st June 1913.

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICES.

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17.	M. Anand Sarup	... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt Kasauli.
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27. M. Ghulam Rasul...	...	... Sudder Bazar, Rawalpindi.
28. M. Fazal Ahmed ...	...	... Persian House, Rawalpindi.

ROORKEE CITY.

29. M. Fazl-i-Haq ...	...	... Mahalla Satti, Roorkee City.

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3. M. Reza Ali Wahshat, M.R.A.S.		... 14, Karaya Road, Balligunge, Calcutta.
4. M. Badru-z-Zaman	...	... 9, Ice Factory Lane, Entaly, Calcutta
5. M. Abdul Badi ...	...	... 5, Ramsanker Roy's Lane, Calcutta.
6. M. A. M. F. Wahhab	...	... Librarian, Calcutta Madrasah, Calcutta.
7. M. Habibun Nabi Khan Saulat		... 89, Jhowtollah Road, Balligunge, Calcutta.
8. M. Akmal Ali Akmal	...	... 9, Dr. Karam Hossain's Lane, Calcutta.
9. M. Abdul Karim Nashter	...	... 1, Jhowtollah Lane, Balligunge, Calcutta.
10. M. Mohd. Yusuf Khan	...	... 15, Karaya Road, Balligunge, Calcutta.

N.B.—It is requested that Munshis who have passed this examination and whose names do not appear above, should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

Punjab Government Press, Lahore—5-9-13—1567.—860.

Government Gazette

PUNJAB AND ITS DEPENDENCIES:

Published by Authority.

LAHORE, FRIDAY, SEPTEMBER 12, 1913.

PART II.

Republication from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED AUGUST 30, 1913.

FINANCE DEPARTMENT.

NOTIFICATION.

LEAVE AND APPOINTMENTS.

Simla, the 28th August, 1913.

No. 1053 *F.E.*—In partial modification of the Notification in this Department, No. 933 F. E., dated the 31st July 1913, published on page 737 of Part I of the *Gazette of India* of the 2nd August 1913, it is hereby notified that the number of vacancies in the General List of the Indian Finance Department which will be filled by competitive examination to be held in December next will be four instead of two.

J. B. BRUNYATE,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Simla, the 27th August, 1913.

No. 838 *F.*—217-7.—Consequent on the grant, by the Punjab Government, of privilege leave for two months and twenty-four days, under Article 260 of the Civil Service Regulations, to Mr. J. Copeland, Conservator of Forests, Punjab, 1st grade, Mr. W. Mayes, Deputy Conservator of Forests, Punjab, is appointed to officiate as Conservator of Forests, 3rd grade, with effect from the afternoon of the 4th August 1913, the date on which Mr. Copeland made over charge of his office.

J. H. KERR,

Offg. Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATIONS.

CUSTOMS.

Simla, the 30th August, 1913.

No. 7043-79.—In exercise of the powers conferred by Section 22 of the Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to direct that, for the corresponding item of entry No. 10 in the Notification of the Government of India in

this Department, No. 9378-101, dated the 21st December 1912, the following shall be substituted, namely :—

No.	Names of articles.	Per	Tariff valuation.	Duty.
10	Chemical Products and Preparations.			
	* * *			
	Sulphur (brimstone), rough	...	*ad valorem* ...	Five per cent.
	* * *			

TELEGRAPHS.

The 30th August, 1913.

No. 7040-121.—In exercise of the powers conferred by Section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Governor General in Council is pleased to direct that the following amendment shall be made in the rules published with the Notification of the Government of India in the Department of Commerce and Industry, No. 6975-137 (Telegraphs), dated the 16th of September 1909, namely :—

For Rule 24 the following shall be substituted, namely :—

24. *Address.*—Every address must contain at least two words, the first designating the addressee, the second indicating the name of the Telegraph office of destination, (or the office to which the telegram is to be transmitted). The name of the office of destination is counted as one word, irrespective of the actual number of words and initials which it may contain [Rule 53 (*a*)]. For instance, "Basin Bridge Junction M.S.M." will count as one word. Care should be taken that the office to which the telegram is to be transmitted is written as given in the list of Telegraph offices published in the *Telegraph Guide* (*Section VI*), but the letters, names of districts and provinces printed in italics after the names of offices need not be given.

J. F. GRUNING,

Offg. Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 29th August, 1913.

FURLOUGH AND LEAVE.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 725.—Captain C. P. Woodward, Indian Army, is granted furlough on medical certificate in India for two months and fifteen days with effect from the 16th June 1913.

W. R. BIRDWOOD, *Major-General,*

Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICES.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language who are desirous of obtaining competent teachers :

ALLAHABAD.

1. M. Jawala Prasad, I ... ... Kasauli Hills. The Royal Scots Regiment, Sadar Bazar, Allahabad.
2. M. S. C. Bagchi ... ... Government Observatory, Allahabad.

AMBALA.

3. M. Mohd. Miyan Khan ...	... Sudder Bazar, Ambala.
4. M. Mohd Akbar Khan ...	... The Oriental Lodge, Ambala.
5. M. Jawala Prasad, II ...	... B. I. Bazar, Ambala.

AMRITSAR.

6. M. Mohd. Ishaq	... Khazana Gate, Amritsar.

CALCUTTA.

7. M. Mohd. Gholam Kibriya ...	... 17, Noorallah Doctor's Lane, Calcutta.
8. M. Badruddin Ahmed, B.A. ...	... 8, Mawlavi Imdad Ali's Lane, Calcutta.
9. M. Hossain Mirza ...	... 1, Syed Ismail Lane, Calcutta.
10. M. Mohd. Israil Khan ...	... 15, Karaya Road, Balligunge, Calcutta.
11. M. Syed Nawab Ali ...	... 11, Colootola Street, Calcutta.
12. M. Wahidun Nabi Khan ...	... 88/1, Baitakkhana Road, Calcutta.
13. M. Mohd. Abdul Hamid ...	... 152, Harrison Road, Calcutta.
14. M. Daliluddin Ahmed ...	... 28/1, Kimber Street (Karaya), Calcutta.

DINAPORE.

15. M. Syed Hadi Hussain ...	... Orderly Bazar, Dinapore.

JHELUM.

16. M. Thakur Das Pahwa ...	... Officers' Munshi, Jhelum.

KASAULI.

17. M. Anand Sarup	... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt Kasauli.

LAHORE CANTT.

18. M. J. Kishori Lal ...	... R. A. Bazar, Lahore Cantt.
19. M. Sham Lal Bhargava ...	... Dangar Street, Sudder Bazar, Lahore Cantt.

LUCKNOW.

20. M. Abdul Alim	... Near the Police Post, Husaingunge, Lucknow.
21. M. Mohd. Yaqub Khan ...	... Near Royal Hotel, Lucknow.

MURREE HILLS.

22. M. M. C. Saighal	... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

NOWSHERA.

23. M. Muhammad Din	... Pay Havildar and Head Clerk, 23rd Peshawar Mountain Battery, (F. F.)

PESHAWAR.

24. M. Bodh Raj	... Royal Sussex Regiment (or Sudder Bazar), Peshawar.
25. M. Ahmed Din ...	... 81, Cantonments, Peshawar.

RAWALPINDI.

26. M. Ghulam Muhiuddin ...	... R. A. Brigade Munshi, Rawalpindi.
27. M. Ghulam Rasul... ...	... Sudder Bazar, Rawalpindi.
28. M. Fazal Ahmed	... Persian House, Rawalpindi.

ROORKEE CITY.

29. M. Fazl-i-Haq	... Mahalla Satti, Roorkee City.

SUBATHU.

30. M. Gulzar Lal	... South Lancashire Regiment, Subathu.

In addition to the above, the following, who were examined in Urdu previous to the institution of the examination mentioned in the above India Army Order, are also, in the opinion of the Board of Examiners, qualified to teach :

CALCUTTA.

1. M. Mohd. Arif	... 12, Harinbari Lane, Calcutta.
2. M. Syed Abu Zafar ...	... 36, European Asylum Lane, Calcutta.
3. M. Reza Ali Wahshat, M.R.A.S.	... 14, Karaya Road, Balligunge, Calcutta.
4. M. Badru-z-Zaman ...	... 9, Ice Factory Lane, Entaly, Calcutta.
5. M. Abdul Badi	... 5, Ramsanker Roy's Lane, Calcutta.
6. M. A. M. F. Wahhab ...	... Librarian, Calcutta Madrassah, Calcutta.
7. M. Habibun Nabi Khan Saulat	... 89, Jhowtollah Road, Balligunge, Calcutta.
8. M. Akmal Ali Akmal ...	... 9, Dr. Karam Hossain's Lane, Calcutta.
9. M. Abdul Karim Nashter ...	... 1, Jhowtollah Lane, Balligunge, Calcutta.
10. M. Mohd. Yusuf Khan ...	... 15, Karaya Road, Balligunge, Calcutta.

N.B.—It is requested that Munshis who have passed this examination and whose names do not appear above, should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

DIRECTOR-GENERAL, INDIAN MEDICAL SERVICE.

NOTIFICATION.

Simla, the 21st August, 1913.

No. 135.—No. 1659, 2nd class Sub-Assistant Surgeon Abdul Karim, I.S.M.D., is transferred permanently to the Civil Medical Department, Punjab, with effect from the 15th July 1913.

A. M. CROFTS, *Surgeon-General,*
Offg. Director-General, Indian Medical Service.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," AUGUST 30, 1913.

GOVERNMENT OF INDIA.
DEPARTMENT OF COMMERCE AND INDUSTRY.

TARIFF VALUATION OF SUGAR.

The following statement shows in respect of each of the descriptions of sugar distinguished in the Tariff Schedule IV (excepting molasses and all other kinds of sugar), *firstly* the total imports into India in the month of July 1913 and the average value per cwt. as calculated on the returns received from the Customs Houses; and, *secondly*, a running total showing the total imports into India since the beginning of the year (1st October to 30th September) and the average net value per cwt. so far established. It is published in conformity with the procedure laid down in Customs Circular No. V of 1911 in order to enable merchants to compute the probable rate of duty for the year 1914:—

Description of sugar.	Imported during the month of July 1913.		Imported since 1st October 1912.	
	Quantity.	Average net value per cwt.	Quantity.	Average net value per cwt.
	Cwt.	R a	Cwt.	R a
Sugar, crystallised, beet	20,122	9 8	1,513,283	9 12
" " and soft, refined in China	346	11 4	21,655	11 4
" " " " from Java, 23 Dutch Standard and above.	473,772	9 12	3,732,770	9 13
" " " " from Java, 16 to 22 Dutch Standard.	295,115	9 4	1,932,302	9 0
" " " " from Java, 15 Dutch Standard and under.	23,473	8 12	68,535	8 12
" " " " from Mauritius equal to 16 Dutch Standard and over.	27,471	10 0	2,545,358	9 8

FREDERICK NOËL-PATON,
Director-General of Commercial Intelligence.

CALCUTTA;
The 22nd August 1913.

J. F. GRUNING,
Offg. Secretary to the Government of India.

Punjab Government Press, Lahore—12-9-13—1608—860.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, SEPTEMBER 19, 1913.

PART II.

Republication from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER 6, 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

JUDICIAL.

Simla, the 4th September, 1913.

No. 1398.—The services of Lala Chattar Behari Narayan, Munsif, are replaced at the disposal of the Government of the Punjab, with effect from the date on which he relinquished charge of his duties under the Chief Commissioner of Delhi.

MEDICAL.

The 4th September, 1913.

No. 709.—Captain R. H. Bott, M.B., F.R.C.S., I.M.S., is appointed to officiate as Professor of Surgery, Medical College, Lahore, during the absence on leave of Lieutenant-Colonel E. V. Hugo, M.D., I.M.S., or until further orders.

No. 712.—The services of Assistant Surgeon Bawa Mul Raj Bedi are replaced at the disposal of the Government of the Punjab, with effect from the 19th August 1913.

H. WHEELER,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 5th September, 1913.

FURLOUGH AND LEAVE.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 738.—With reference to Army Department notification No. 478, dated the 23rd May 1912, Major T. C. Browning, Indian Army, is granted an extension of leave on private affairs to the 4th May 1913.

W. R. BIRDWOOD, *Major-General,*

Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICES.

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ALLAHABAD.

1. M. Jawala Prasad, I ...	... Kasauli Hills. The Royal Scots Regiment, Sudder Bazar, Allahabad.
2. M. S. C. Bagchi	... Government Observatory, Allahabad.

AMBALA.

3. M. Mohd. Miyan Khan ...	... Sudder Bazar, Ambala.
4. M. Mohd. Akban Khan ...	... The Oriental Lodge, Ambala.
5. M. Jawala Prasad, II ...	... B. I. Bazar, Ambala.

AMRITSAR.

6 M. Mohd. Ishaq	... Khazana Gate, Amritsar

CALCUTTA.

7. M. Mohd. Gholam Kibriya ...	... 17, Noorallah Doctor's Lane, Calcutta.
8. M. Badruddin Ahmed, B.A. ...	... 8, Mawlavi Imdad Ali's Lane, Calcutta.
9. M. Hossain Mirza ...	... 1, Syed Ismail Lane, Calcutta.
10. M. Mohd. Israil Khan ...	... 15, Karaya Road, Balligunge, Calcutta.
11. M. Syed Nawab Ali ...	... 11, Colootola Street, Calcutta.
12. M. Wahidun Nabi Khan ...	... 88/1, Baitakkhana Road, Calcutta.
13. M. Mohd. Abdul Hamid ...	... 152, Harrison Road, Calcutta.
14. M. Daliluddin Ahmed ...	... 28/1, Kimber Street (Karaya), Calcutta.

DINAPORE.

15. M. Syed Hadi Hussain ...	... Orderly Bazar, Dinapore.

JHELUM.

16. M. Thakur Das Pahwa ...	... Officers' Munshi, Jhelum.

KASAULI.

17. M. Anand Sarup	... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt Kasauli.

LAHORE CANTT.

18. M. J. Kishori Lal ...	... R. A. Bazar, Lahore Cantt.
19. M. Sham Lal Bhargava ...	... Dangar Street, Sudder Bazar, Lahore Cantt.

LUCKNOW.

20. M. Abdul Alim	... Near the Police Post, Husaingunge, Lucknow.
21. M. Mohd. Yaqub Khan ...	... Near Royal Hotel, Lucknow.

MURREE HILLS.

22. M. M. C. Saighal	... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

NOWSHERA.

23. M. Muhammad Din	... Pay Havildar and Head Clerk, 23rd Peshawar Mountain Battery (F. F.).

PESHAWAR.

24. M. Bodh Raj	... Royal Sussex Regiment (or Sudder Bazar), Peshawar.
25. M. Ahmed Din	... 81, Cantonments, Peshawar.

RAWALPINDI.

26. M. Ghulam Muhiuddin ...	... R. A. Brigade Munshi, Rawalpindi.
27. M. Ghulam Rasul... ...	... Sudder Bazar, Rawalpindi.
28. M. Fazal Ahmed	... Persian House, Rawalpindi.

ROORKEE CITY.

29. M. Fazl-i-Haq	... Mahalla Satti, Roorkee City.

SUBATHU.

30. M. Gulzar Lal	... South Lancashire Regiment, Subathu.

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2.	M. Syed Abu Zafar ...	... 36, European Asylum Lane, Calcutta.
3.	M. Reza Ali Wahshat, M.R.A.S.	... 14, Karaya Road, Balligunge, Calcutta.
4.	M. Badru-z-Zaman ...	... 9, Ice Factory Lane, Entaly, Calcutta
5.	M. Abdul Badi ...	... 5, Ramsanker Roy's Lane, Calcutta.
6.	M. A. M. F. Wahhab ...	... Librarian, Calcutta Madrasah, Calcutta.
7.	M. Habibun Nabi Khan Saulat	... 89, Jhowtollah Road, Balligunge, Calcutta.
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C. L. PEART, CAPT.,
Secretary and Member, Board of Examiners.

Punjab Government Press, Lahore—19-9-13—1661—860.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, SEPTEMBER 26, 1913.

PART II.

Republication from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER 13, 1913.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

Simla, the 12th September, 1913.

No. 1892.—The services of Chaudhri Sardar Khan, an Extra Assistant Commissioner in the Punjab, are placed at the disposal of the Chief Commissioner of Delhi, with effect from the 6th September 1913, or the subsequent date on which he may assume charge of his duties at Delhi.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

INSURANCE.

Simla, the 13th September 1913.

No. 7345-97.—In pursuance of section 3 of the Indian Life Assurance Companies Act, 1912 (VI of 1912), the Governor General in Council is pleased to exempt the undermentioned Funds from the operations of the said Act:—

1. Postal Insurance Fund.
2. Bengal Civil Fund.
3. Indian Civil Service Family Pension Fund.
4. Bengal and Bombay Uncovenanted Service Family Pension Fund.
5. General Family Pension Fund.
6. Hindu Family Annuity Fund
7. Bengal Christian Family Pension Fund.
8. Bengal and Madras Service Family Pension Fund.
9. Indian Civil Service Annuity Fund.
10. Indian Military Service Family Pension Fund.
11. Queen's Military Widows' Fund.
12. Madras Civil Fund.
13. Madras Military Assistant Surgeons' Fund.

J. F. GRUNING,

Offg. Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICE.

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2. M. S. C. Bagchi	... Government Observatory, Allahabad.

AMBALA.

1. M. Mohd. Miyan Khan ...	... Sudder Bazar, Ambala.
2. M. Mohd. Akbar Khan ...	... The Oriental Lodge, Ambala.
3. M. Jawala Prasad, II ...	... B. I. Bazar, Ambala.

AMRITSAR.

1. M. Mohd. Ishaq	... Khazana Gate, Amritsar.

AZAMGARH.

1. M. Ram Charan Lal ...	... Offg. Sub-Deputy Inspector of Schools, Azamgarh.

CALCUTTA.

1. M. Mohd. Gholam Kibriya ...	... 17, Noorallah Doctor's Lane, Calcutta.
2. M. Badruddin Ahmed, B.A. ...	... 8, Maulavi Imdad Ali's Lane, Calcutta.
3. M. Hossain Mirza ...	... 1, Syed Ismail Lane, Calcutta.
4. M. Mohd. Israil Khan ...	... 15, Karaya Road, Balligunge, Calcutta.
5. M. Syed Nawab Ali ...	... 11, Colootola Street, Calcutta.
6. M. Wahidun Nabi Khan ...	... 88/1, Baitakkhana Road, Calcutta.
7. M. Mohd. Abdul Hamid ...	... 152, Harrison Road, Calcutta.
8. M. Daliluddin Ahmed ...	... 28/1, Kimber Street (Karaya), Calcutta.
9. M. Abdul Wajid ...	... 89, Jhowtolla Road, Balligunge, Calcutta.
10. M. Syed Mohammad ...	... 12, Waliullah Lane, Wellesley Square, Calcutta.

CAMPBELLPORE.

1. M. Rahim Shah ...	... R. A. Munshi, Campbellpore.

DALHOUSIE.

1. M. Abdur Rahim ...	... Regimental Munshi, 1st Lancashire Fusiliers, Balun Bazar, Dalhousie.

DELHI.

1. M. Mithan Lal ...	... C/o Late M Chunni Lal Sahib, Government Pensioner, Muhalla Churi Walan, Delhi.

DINAPORE.

1. M. Syed Hadi Hussain ...	... Orderly Bazar, Dinapore.

JHELUM.

1. M. Thakur Das Pahwa ...	... Officers' Munshi, Jhelum.

JULLUNDUR.

1. M. Har Bhagat Singh Bains	... Talhar, Jullundur Cantonment.

KASAULI.

1. M. Anand Sarup ...	... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt Kasauli.

LAHORE CANTT.

1. M. J. Kishori Lal ...	... R. A. Bazar, Lahore Cantt.
2. M. Sham Lal Bhargava ...	... Dangar Street, Sudder Bazar, Lahore Cantt.

LUCKNOW.

1. M. Abdul Alim	... Near the Police Post, Husaingunge, Lucknow.
2. M. Mohd. Yaqub Khan ...	... Near Royal Hotel, Lucknow.

MULTAN.

1. M. S. Karim Bakhsh ...	... Sadar Bazar, Multan Cantonment.

MURREE HILLS.

1. M. M. C. Saighal ...	... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

NAINI TAL.

1. M. Faqir Ulla ...	... St. Joseph's College, Naini Tal.

NOWSHERA.

1. M. Muhammad Din ...	... Pay Havildar and Head Clerk, 23rd Peshawar Mountain Battery (F. F.).

PESHAWAR.

1. M. Bodh Raj ...	... Royal Sussex Regiment (or Sudder Bazar), Peshawar.
2. M. Ahmed Din ...	... 81, Cantonments, Peshawar.
3. M. Abdur Rahim ...	... Head Master, Islamia High School, Peshawar.
4. M. Abdul Karim ...	... Dabgari Gate, Peshawar City.

RAWALPINDI.

1. M. Ghulam Muhiuddin ...	... R. A. Brigade Munshi, Rawalpindi.
2. M. Ghulam Rasul ...	... Sudder Bazar, Rawalpindi.
3. M. Fazal Ahmed ...	... Persian House, Rawalpindi.

ROORKEE CITY.

1. M. Fazl-i-Haq ... ... Mahalla Satti, Roorkee City.

SUBATHU.

1. M. Gulzar Lal ... ... South Lancashire Regiment, Subathu.

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3. M. Reza Ali Wahshat, M.R.A.S. ... 14, Karaya Road, Balligunge, Calcutta.
4. M. Badru-z-Zaman ... ... 9, Ice Factory Lane, Entaly, Calcutta.
5. M. Abdul Badi ... ... 5, Ramsanker Roy's Lane, Calcutta.
6. M. A. M. F. Wahhab ... ... Librarian, Calcutta Madrasah, Calcutta.
7. M. Habibun Nabi Khan Saulat ... 89, Jhowtollah Road, Balligunge, Calcutta.
8. M. Akmal Ali Akmal ... ... 9, Dr. Karam Hossain's Lane, Calcutta.
9. M. Abdul Karim Nashter ... ... 1, Jhowtollah Lane, Balligunge, Calcutta.
10. M. Mohd. Yusuf Khan ... ... 15, Karaya Road, Balligunge, Calcutta.

N.B.—It is requested that Munshis who have passed this examination and whose names do not appear above should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

FROM THE "GAZETTE OF INDIA," DATED 20TH SEPTEMBER 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 16th September, 1913.

No. 1907.—The following regulations respecting the examination of candidates for the Civil Service of India, to be held in August 1914, are published for general information :—

[*Copies of this paper may be obtained on application to the Secretary to the Government of India, Home Department.*]

EXAMINATIONS FOR THE CIVIL SERVICE OF INDIA.

An open Competitive Examination for admission to the Civil Service of India will be held in London, under the subjoined Regulations, commencing on the 1st August, 1914.

The number of persons to be selected at this examination will be announced hereafter.

No person will be admitted to compete from whom the Secretary, Civil Service Commission, has not received on or before the 1st June 1914, *an application on the prescribed form, a copy of which is sent herewith. No allegation that an Application Form or a letter respecting such Form has been lost or delayed in the post will be considered by the Commissioners unless the person making such allegation produces a Post Office Certificate of Posting. Candidates, who delay their applications until the last days, will do so at their own risk.*

Acknowledgments of such Application Forms are sent, and any Candidate who has filled up and returned the printed Application Form but has not received an acknowledgment of it within four complete days should at once write to the Secretary, Civil Service Commission, Burlington Gardens, London, W. Failure to comply with this provision will deprive the Candidate of any claim to consideration.

The Order for admission to the Examination will be posted early in July, 1914, *to the address given on the Form of Application. It will contain instructions as to the time and place at which Candidates will be required to attend and as to the manner in which the fee* (£ 6) *is to be paid.*

Civil Service Commission,

July, 1913.

REGULATIONS.

** The following Regulations, made by the Secretary of State for India in Council, are liable to alteration from year to year :—*

1. An examination for admission to the Civil Service of India, open to all qualified persons, will be held in London in August of each year for such number of appointments to that Service as the Secretary of State may on each occasion determine. The date of the Examination and the number of appointments to be made for each Province will be announced beforehand by the Civil Service Commissioners.

2. No person will be deemed qualified who shall not satisfy the Civil Service Commissioners :—

(*i*) That he is a natural-born subject of His Majesty.

(*ii*) That he had attained the age of twenty-two, and had not attained the age of twenty-four on the first day of August of the year in which the Examination is held.

[*N. B.—In the case of Natives of India it will be necessary for a candidate to obtain a certificate of age and nationality issued under Notification of the Government of India, No 2252, dated 21st August, 1888, as amended by Notification No. 464, dated 19th May, 1898, and signed, should he be a resident in British India, by the Secretary to Government of the Province, or the Commissioner of the Division within which his family resides, or should he reside in a Native State, by the highest Political Officer accredited to the State in which his family resides.*]

(*iii*) That he has no disease, constitutional affection, or bodily infirmity, unfitting him, or likely to unfit him, for the Civil Service of India.*

(*iv*) That he is of good moral character.

3. No person who, in a previous year, accepted the offer of a nomination as a Selected Candidate for the Civil Service of India and subsequently resigned his position as a Selected Candidate, will be admitted to the Examination.

4. Should the evidence upon the above points be *primâ facie* satisfactory to the Civil Service Commissioners, the Candidate, on payment of the prescribed fee, will be admitted to the Examination. The Commissioners may, however, in their discretion, at any time prior to the grant of the Certificate of Qualification hereinafter referred to, institute such further inquiries as they may deem necessary; and if the result of such inquiries in the case of any Candidate should be unsatisfactory to them in any of the above respects he will be ineligible for admission to the Civil Service of India, and, if already selected, will be removed from the position of a Probationer.

5. The open Competitive Examination will take place only in the following 36 subjects (*a*) :—

		Marks.
1.	English Composition	500
2.	Sanskrit Language and Literature	800
3.	Arabic Language and Literature	800
	Greek, not less than two sub-divisions, of which one must be Translation :—	
4.	Translation	400
5.	Prose Composition	200
6.	Verse Composition	200
7.	Literature, etc.	300
	Latin, not less than two sub-divisions, of which one must be Translation :—	
8.	Translation	400
9.	Prose Composition	200
10.	Verse Composition	200
11.	Literature, etc.	300
12.	English Language and Literature	600
13.	Italian, Translation, Composition and Conversation	400
14.	Italian, History of the Language and Literature	200
15.	French, Translation, Composition and Conversation	400
16.	French, History of the Language and Literature	200
17.	German, Translation, Composition and Conversation	400

* The Civil Service Commissioners will regard no person as constitutionally fitted for appointment to the Civil Service of India who has not been satisfactorily vaccinated within the last seven years.

(*a*) A Syllabus defining the character of the Examination in the various subjects may be obtained on application to the Secretary, Civil Service Commission, London, W.

		Marks.
18.	German, History of the Language and Literature	200
	The History of these Languages and their Literatures can only be taken by candidates who also offer themselves for the rest of the examination in those languages.	
19.	Lower Mathematics	1,200
20.	Higher Mathematics	1,200
	Natural Science, *i. e.*, any number not exceeding *four* of the following, or *three* if both Lower and Higher Mathematics be also taken :—	
21.	Chemistry	600
22.	Physics	600
23.	Geology	600
24.	Botany	600
25.	Zoology	600
26.	Animal Physiology	600
27.	Geography	600
28.	Greek History (Ancient, including Constitution)	500
29.	Roman History (Ancient, including Constitution)	500
	English History, either or both sections may be taken :—	
30.	Section I., to A. D. 1485	400
31.	Section II., A. D. 1485 to 1848...	400
32.	General Modern History	500
33.	Logic and Psychology	600
34.	Moral and Metaphysical Philosophy	600
35.	Political Economy and Economic History	600
36.	Political Science	500
37.	Roman Law	500
38.	English Law	500

From the marks assigned to Candidates in each subject such deduction will be made as the Civil Service Commissioners may deem necessary in order to secure that no credit be allowed for merely superficial knowledge.

Consistently with the limitations specified above Candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000. If this maximum is exceeded by a Candidate's selection he will be required to indicate one of his subjects, the marks for which should, in his case, be reduced so as to bring his maximum marks within the prescribed limit. The marks so reduced will be subject to a correspondingly reduced deduction.

Moreover, if a Candidate's handwriting is not easily legible a further deduction will, on that account, be made from the total marks otherwise accruing to him.*

6. A list of the competitors shall be made out in order of their proficiency as disclosed by the aggregate marks finally awarded to each competitor, and in that order so many competitors, up to the determined number of appointments, as are found by the Civil Service Commissioners to be qualified by examination, shall be designated to be Selected Candidates for the Civil Service of India, provided that they appear to be duly qualified in other respects. Should any Selected Candidate become disqualified, the Secretary of State for India will determine whether the vacancy thus created shall be filled or not. In the former case the Candidate next in order of merit, and in other respects duly qualified, shall be deemed to be a Selected Candidate.

7. Selected Candidates, before proceeding to India, will be on probation for one year, at the end of which time they will undergo an examination, called the Final Examination, in the following compulsory subjects (*b*) :—

		Marks.
1.	Indian Penal Code	400
2.	Code of Criminal Procedure	200
3.	The Indian Evidence Act	200
4.	Indian History	400
5.	The Principal Vernacular Language of the Province to which the Candidate is assigned	400

* It is notified for general information that the number of marks deducted for bad handwriting may be considerable.

(*b*) Instructions, showing the extent of the examination, will be issued to Selected Candidates, as soon as possible after the result of the Open Competition is declared.

The principal Vernacular Language prescribed for each Province to which Candidates are assigned is as follows :—

For the United Provinces of Agra and Oudh, the Punjab or the Central Provinces	Hindustani.
For Bengal or Assam	Bengali.
(unless it is the Candidate's mother tongue.)	
For Bihar and Orissa	Hindustani.
For Burma	Burmese.
For Bombay	Marathi.
(unless it is the Candidate's mother tongue.)	
For Madras	Tamil or Telugu.
(at the option of the Candidate.)	

In Hindustani the Candidate will be required to be acquainted with both the Persian and the Nagri character.

A Candidate assigned to Bengal or Assam, whose mother tongue is Bengali, must offer for examination Hindustani; a Candidate assigned to Bombay, whose mother tongue is Marathi, must offer for examination Hindustani; and a Candidate assigned to Madras, whose mother tongue is either of the languages shown against his Province, must offer the other for examination.

8. Selected Candidates may in addition offer in the Final Examination one of the following optional subjects :—

		Marks.
1.	Hindu and Mohammadan Law	450
2.	Sanskrit	400
3.	Arabic	400
4.	Persian	400
5.	Hindustani	400

No Candidate who offered Sanskrit or Arabic at the Open Competition may offer the same language at the Final Examination ; and only Candidates assigned to the Province of Burma may offer Hindustani as an optional snbject.

9. In the Final Examination, as in the Open Competition, the merit of the Candidates examined will be estimated by marks (which will be subject to deductions in the same way as the marks assigned at the Open Competition), and the number set opposite to each subject denotes the greatest number of marks that can be obtained in respect of it. The examination will be conducted on paper and *vivâ voce*, as may be deemed necessary.

If any Candidate is prevented by sickness or any other adequate cause from attending such examination, the Commissioners may, with the concurrence of the Secretary of State for India in Council, allow him to appear at the Final Examination to be held in the following year, or at a special examination.

10. The Selected Candidates will also be tested during their probation as to their proficiency in riding.

The examinations in riding will be held as follows :—

(1) Shortly after the result of the Open Competitive Examination has been declared, or at such time or times as the Commissioners may appoint during the course of the probationary year.

(2) Again, at the time of the Final Examination, Candidates who may then fully satisfy the Commissioners of their ability to ride well and to perform journeys on horseback will be awarded from 100 to 200 marks, according to the degree of proficiency displayed, to be added to their marks in the Final Examination. Candidates who fail to obtain 100 marks, but are reported by the Civil Service Commissioners to have reached a minimum standard of proficiency in riding and are certified by the said Commissioners to be entitled to be appointed to the Civil Service of India, will, on their arrival in India, be subjected to such further tests in riding as may be prescribed by their Government, and shall receive no increase to their initial salary until they have passed such tests to the satisfaction of that Government.

A Candidate who fails at the end of the year of probation to satisfy the Civil Service Commissioners that he has reached the minimum standard of proficiency in riding, will be liable to have his name removed from the list of Selected Candidates.

11. The Selected Candidates who, on examination, shall be found to have a competent knowledge of the subjects specified in Regulation 7, and who shall have satisfied the Civil Service Commissioners of their eligibility in respect of nationality, age, health, character,

conduct during the period of probation, and ability to ride, shall be certified by the said Commissioners to be entitled to be appointed to the Civil Service of India provided they shall comply with the regulations in force, at the time, for that service.

12. Persons desirous to be admitted as Candidates must apply on Forms, which may be obtained from "The Secretary to the Civil Service Commissioners, London," at any time after the 1st December, in the year previous to that in which the Examination is to be held. No person will be admitted to the Examination from whom the Secretary to the Civil Service Commissioners has not received on or before the 1st June (or, if that date should fall on a Sunday or public holiday, then, on or before the first day thereafter on which their office is open), in the year in which the Examination is to be held, an application, in the handwriting of the Candidate, on the prescribed form.

The Civil Service Commissioners are authorized by the Secretary of State for India in Council to make the following announcements :—

(i) *Selected Candidates will be allotted to the various provinces upon a consideration of all the circumstances, including their own wishes ; but the requirements of the Public Service will rank before every other consideration.*

(ii) *An allowance amounting to £150 will be given to any Candidate who passes his probation at one of the Universities or Colleges which have been approved by the Secretary of State*, viz., *the Universities of Oxford, Cambridge, Dublin, Glasgow, Edinburgh, St. Andrews, Aberdeen and London (University College) ; Victoria University, Manchester.*

This allowance will be paid to the Selected Candidate in four instalments on the following dates respectively :—December 24th, after his selection, March 25th, June 24th, and the date of his signing his covenant on being finally appointed to the Service.

With the final instalment an allowance on account of passage to India will be paid to each newly appointed civilian to the amount of £37 10s. 0d., for passage to Calcutta, Madras or Bombay, and £43 for passage to Rangoon, the Officer then making his own arrangements for his passage.

The payment of each of the first three instalments will be conditional on the receipt, by the Secretary of State, through the Civil Service Commissioners, of a Certificate that the Candidate has fulfilled up to date the requirements of the Authorities, and shown satisfactory conduct at the Authorized University or College ; the fourth and final instalment will be paid as soon as the Selected Candidate has signed his covenant, and for its payment no certificate from College Authorities will be required.

The whole probation must ordinarily be passed at the same Institution. Migration will not be permitted except for special reasons approved by the Secretary of State.

(iii) *Each Candidate will be required before receiving the first instalment of his allowance to execute an agreement binding himself and one surety, jointly and severally, to refund all monies he may have received from the Secretary of State for India in the event of—*

(1) *his failure to pass the Final Examination within the time prescribed by the Regulations, and to satisfy the Civil Service Commissioners of his fitness for admission to the Civil Service of India, or*

(2) *his subsequent failure to execute the usual covenant, and to proceed to India, as and when he shall be directed by the Secretary of State for India.*

(iv) *All Candidates obtaining Certificates will be also required to enter into covenants, by which, amongst other things, they will bind themselves to make such payments as under the rules and regulations for the time being in force, they may be required to make towards their own pensions or for the pensions of their families. The stamps payable on these covenants amount to £1.*

(v) *The seniority in the Civil Service of India of the Candidates obtaining Certificates will be determined according to the order in which they stand on the list resulting from the combined marks of the Open Competitive and Final Examinations.*

(vi) *Candidates obtaining Certificates will be required to report their arrival in India within such period after the grant of their Certificates of qualification as the Secretary of State may in each case direct.*

(vii) *Candidates who fail to satisfy the Civil Service Commissioners at the Final Examination held in any year will be definitely rejected, and will not be allowed to present themselves for re-examination, unless it shall appear to the Secretary of State in Council, after reference to the Civil Service Commissioners, that such failure is due to circumstances wholly exceptional and beyond the control of the Candidate.*

A Manual of Rules and Regulations applicable to members of the Civil Service of India has been compiled by permission of the Government of India, and may now be procured from the undermentioned Agents for the sale of Indian Official publications. Price 2s. 6d. LONDON.—A. Constable & Co., 10, Orange Street, Leicester Square, W. C.; P. S. King and Son, 2 and 4, Great Smith Street, Westminister, S. W.; Kegan Paul, Trench, Trübner & Co., 68, Carter Lane, E. C.; B. Quaritch, 11, Grafton Street, New Bond Street, W.; Henry S. King & Co., 65, Cornhill, E. C.; Grindlay & Co., 54, Parliament Street, S.W.; T. Fisher Unwin, 1, Adelphi Terrace, W. C.; W. Thacker & Co., 2, Creed Lane, Ludgate Hill, E. C.; Luzac & Co., 46, Great Russell Street, W. C. EDINBURGH.—Oliver & Boyd, Tweeddale Court. DUBLIN.—E. Ponsonby, Ltd., 116, Grafton Street. OXFORD.—B. H. Blackwell, 50 and 51, Broad Street. CAMBRIDGE.—Deighton, Bell & Co., Trinity Street. GERMANY.—Friedländer & Sohn, 11, Carl-Strasse, Berlin, N. W. 6; Otto Harrassowitz, Leipzig; Karl W. Hiersemann, 29, Konigstrasse, Leipzig. FRANCE.—Ernest Leroux, Rue Bonaparte, Paris. HOLLAND.—Martinus Nijhoff, The Hague.

The Commissioners have been requested by the Secretary of State for India to draw the attention of Selected Candidates to the prefatory note attached to this manual, as it is considered important that it should be clearly understood that this compilation is not to be regarded in any other light than that of a collection, made for facility of reference, of certain information and rules, that it is by no means exhaustive, and that it is liable to such modifications as may from time to time be sanctioned by competent authority.

[Copies of this paper may be obtained on application to the Secretary to the Government of India, Home Department.]

CIVIL SERVICE OF INDIA; &c, &c.

Syllabus of any Open Competitive Examination for the Civil Service of India, Clerkship (Class I) in the Home Civil Service, and Eastern Cadetships in the Colonial Service that may be held in the year 1914, *and of any other competition that may be held in combination therewith.*

In view of the importance of legible handwriting in the public service, Candidates are warned that the provision as to deductions for bad handwriting in these competitions will be strictly enforced.

Candidates are warned that full marks cannot be obtained on any paper unless the whole of it is answered, or, in cases where the number of questions to be answered is specified unless the full number specified is answered.

English Composition.—An Essay to be written on one of several specified subjects.

Sanskrit Language and Literature.—Translation from Sanskrit; composition in Sanskrit; Sanskrit Literature, including the life, thought and antiquities of Ancient India, together with such knowledge of history as bears upon the subject; questions on the Sanskrit Language (including questions on Philolgy).

Composition will be required in Classical Sanskrit alone; elsewhere Vedic Sanskrit is also included.

Candidates are expected to make a special study of the Seventh Mandala of the Rigveda, but other Vedic hymns may also be set in the examination.

Arabic Language and Literature.—Translation from Arabic; set composition and free composition in Arabic; Arabic Literature, including the life and thought of the Arabs as shown in the literature, together with such knowledge of history as bears upon the subject; questions on the Arabic language (including questions on Philology).

Greek Literature.—Questions on the Greek Language (including questions on Philology), Literature, and Antiquities.

Latin Literature.—Questions on the Latin Language (including questions on Philology) and on Roman Literature and Antiquities.

English Language and Literature.—The Examination will be in two parts. In the one Candidates will be expected to show a general acquaintance with the course of English Literature, as represented in the chief writers in verse and prose, between the reign of Edward III and the death of Qeen Victoria.

A minute and detailed knowledge will not be looked for in this part of the Examination. But its aim will be to test how far the Candidates have studied at first hand the chief productions of the greatest English writers, and are acquainted with the leading characteristics of their thought and style, and with the place which each of them occupies in the history of English Literature.

The other part of the Examination will relate to one of the following periods, which will follow each other year by year in rotation:—

Period I: 1360 to 1600, Chaucer to Spenser.
Period II: 1600 to 1660, The later Elizabethans.
Period III: 1660 to 1744, The age of Dryden and Pope.
Period IV: 1744 to 1800, From the death of Pope to Cowper.
Period V: 1800 to 1832, Nineteenth Century writers to the death of Scott.
Period VI: 1832 to 1892, From the death of Scott to the death of Tennyson.

The Examination in this part will require from the Candidates a more minute acquaintance with the history of the English Language and Literature, as illustrated in the chief works produced in each period, and will be based to a considerable extent, but by no means exclusively, on certain books specified each year by the Commissioners. The names and other indications placed beside the dates are intended to suggest the general character of the literary development of the period, and, consequently, the natural limits of the Examination. All the works of Shakespeare and Milton, for example, will be regarded as falling within the period 1600 to 1660; all the works of Wordsworth and Coleridge within the period 1800 to 1832; all the works of Carlyle, Landor and Macaulay within the period 1832 to 1892.

For the year 1914, Period III. (1660 1744) is prescribed, and the following are the specified books:—

Dryden.—Absalom and Achitophel, Part i; Don Sebastian; Essay of Dramatic Poesie; Preface to the Fables.
Otway.—Venice Preserved.
Congreve.—The Way of the World.
Farquhar.—The Beaux' Stratagem.
Pope.—Essay on Criticism; The Rape of the Lock; Epistle to Dr. Arbuthnot; Epistle to Augustus.
Swift.—Tale of a Tub; Gulliver's Travels.
Addison.—Essays from the Spectator (Arnold's Edition).
Steele.—Essays (Golden Treasury Series).
Defoe.—Journal of the Plague.
Thomson.—Winter; Castle of Indolence.
Berkeley.—Three Dialogues between Hylas and Philonous.

Italian Translation, Composition and Conversation.—In the conversation test importance is attached to pronunciation. The study of phonetics is an important aid to correctness of pronunciation.

Italian, History of the Language and Literature.—Passages for translation may be set, and questions asked, demanding a knowledge of the language in its early stages; but it will not be obligatory upon candidates to master in detail the old forms in use before the time of Dante. Candidates will not be required to write their answers in Italian.

French, Translation, Composition and Conversation.—In the conversation test importance is attached to pronunciation. The study of phonetics is an important aid to correctness of pronunciation.

French, History of the Language and Literature.—Passages for translation may be set, and questions asked, demanding a knowledge of the language in its early stages; but it will not be obligatory upon candidates to master in detail the old forms in use before 1500. Candidates will not be required to write their answers in French.

German Translation, Composition and Conversation.—In the conversation test importance is attached to pronunciation. The study of phonetics is an important aid to correctness of pronunciation.

German, History of the Language and Literature.—Passages for translation may be set, and questions asked, demanding a knowledge of the language in its early stages; but it will not be obligatory upon candidates to master in detail the old forms in use before 1500. Candidates will not be required to write their answers in German.

Lower Mathematics.—Plane Geometry including conic sections; Solid Geometry including the method of orthogonal projection; Algebra and Plane Trigonometry; Elementary Plane Co-ordinate Geometry; Elementary Mechanics of solids and fluids; Geometrical Optics; Elements of Differential and Integral Calculus with simple illustrations from other branches of the subject. The questions may involve the use of drawing instruments. The use of the slide rule is allowed.

Higher Mathematics.—Higher Algebra (including Theory of Equations), Plane and Spherical Trigonometry, Differential Calculus, Integral Calculus, Differential Equations, Analytical Geometry (Plane and Solid), Statics including Attractions, Dynamics of a Particle, Rigid Dynamics, Hydrodynamics, the Mathematical Theory of Electricity and Magnetism. The questions may involve the use of drawing instruments. The use of the slide rule is allowed.

Chemistry, Physics, Geology, Botany, Zoology, Animal Physiology.—Candidates are warned that the practical Examinations carry a large proportion of the marks.

Geography.*—The history of geographical ideas and methods.

The construction and use of the more familiar map-projections. A general knowledge of the methods of exploratory surveying.

The characteristics and cartographical analysis of the physical regions of the world. The configuration of the continents and of the bed of the ocean. The characteristics and distribution of typical land-forms. The circulation of air and water. The climatic characteristics of different parts of the earth. The distribution of plant and animal associations.

The classification and distribution of the races of mankind. Past and present lines of communication. The influence of geographical environment (physical features and other natural conditions) upon the habits, arts, industries, social organisation and, generally, the political and economical development of the more important existing peoples.

There will be a practical test which will necessitate a knowledge of cartographical methods and notations, and for this test drawing instruments may be required.

Greek History.—Questions (*a*) on the General and (*b*) on the Constitutional History of Greece to the death of Alexander. Candidates will be expected to show a knowledge of the original authorities. They must also be prepared to answer questions on historical geography, and to draw sketch maps.

Roman History.—Questions (*a*) on the General and (*b*) on the Constitutional History of Rome to the death of Trajan. Candidates will be expected to show a knowledge of the original authorities. They must also be prepared to answer questions on historical geography, and to draw sketch maps.

English History.—The subject will include (*a*) the Political History of the British Isles and the Colonies, (*b*) the Constitutional History of England. Candidates should be acquainted with the following authorities:—

Period I, to 1485: Stubbs, Select Charters. [Clarendon Press.]

Period II, 1485 to 1848: Prothero, Statutes and Constitutional Documents [Clarendon Press]; Gardiner, Documents of the Puritan Revolution [Clarendon Press].

In each period the number of marks assigned to the question or questions dealing with the text of the prescribed books will be about one-sixth of that assigned to the whole period. Candidates must be prepared to answer questions on historical geography, and to draw sketch maps.

General Modern History.—Candidates may, at their choice, be examined in any *one* of the following periods. Periods III, IV and V will include Indian History. Candidates are warned that high marks will not be awarded in this subject unless the text of the prescribed books has been carefully studied by them. Candidates must be prepared to answer questions on historical geography, and to draw sketch maps:—

I. From the accession of Charlemagne to the Third Crusade. [A.D 800 to A.D. 1193.]

II. From the Third Crusade to the Diet of Worms. [A.D. 1193 to A.D. 1521.]

III From the Diet of Worms to the death of Louis XIV. [A.D. 1521 to A.D. 1715.]

* The syllabus of geography for 1915 will be:—

Geography as understood in the universities not excluding topics which concern geography jointly with other subjects, such as economics, history, physics, botany and geology. There will be a practical test which will necessitate a knowledge of cartographical methods and notations and for this test drawing instruments may be required.

IV. From the accession of Louis XV to the French Revolution of 1848. [A.D. 1715 to A.D. 1848.]

V. From the Peace of Paris to the Treaty of Berlin. [A.D. 1763 to A.D. 1878.]

Candidates should be acquainted with the following authorities :—

PERIOD I. 800-1193.

Einhard, Vita Caroli Magni, from 800 A.D. Editions :—(1) Pertz, (2) Scriptores Rerum Germanicarum.

Lambert of Hersfeld, Annales. Editions :—(1) Pertz, (2) Scriptores Rerum Germanicarum.

Suger, Vita Ludovici VI. Editions :—(1) Migne, (2) Société de l'Histoire de France, 1868.

Otto of Freising, De gestis Friderici I. Edition :—(1) Pertz, (2) Scriptores Rerum Germanicarum. The continuators are included.

PERIOD II. 1193-1521.

Joinville, St. Louis. Editions :—Petitot, (2) Michaud et Poujoulat, (3) Buchon, (4) Société de l'Histoire de France, 1868.

Philippe de Comines, Mémoires. Editions :—(1) Petitot, (2) Michaud et Poujoulat, (3) Buchon, (4) de Mandrot [Picard, Paris, 1901-3].

Machiavelli, The Prince. English translation by Thomson, published by the Clarendon Press.

PERIOD III. 1521-1715.

Sully, Mémoires up to the Treaty of Vervins. Editions :—(1) Petitot, (2) Michaud et Poujoulat

Torcy, Mémoires. Editions :—(1) Petitot, (2) Michaud et Poujoulat.

PERIOD IV. 1715-1848.

Frederick II, Histoire de mon Temps, *and* La Guerre de Sept Ans. Editions :—(1) Boutaric, (2) Œuvres de Frédéric II, published by Decker, Berlin, 1846.

Malmesbury (*First Earl of*) Diaries and Correspondence ; London, Bentley, 1844 ; Vol. II. Mission to the Hague, pages 66-443 ; Vol. III, Mission to Lisle, pages 369-599.

Metternich. Aus Metternich's Nachgelassenen Papieren ; Autorisirte Original-Ausgabe ; Vienna, 1880. Or in English translation :—Memoirs of Prince Metternich ; Richard Bentley and Son, London, 1880-1882. To be studied up to the year 1815.

PERIOD V. 1763-1878.

Malmesbury, as for Period IV.

Metternich, as for Period IV.

Bianchi ; La Politique du Comte Camille de Cavour, 1852-1861 (Turin, 1885).

Bismarck. Gedanken und Erinnerungen von Bismarck (Edited by H. Kohl, Stuttgart, 1898). Or in English translation :—Bismarck, the Man and the Statesman ; Reflections and Reminiscences, etc. ; translated under supervision of A. J. Butler ; Smith and Elder, London, 1898. To be studied up to the year 1878.

Logic and Psychology.—The history of the subject will be included.

Moral and Metaphysical Philosophy.—The history of the subject will be included.

Political Economy and Economic History.—Candidates will be expected to possess a knowledge of economic theory ; of the existing economic conditions ; of statistical methods ; and of the history of industry, land tenure, and economic legislation in the United Kingdom.

Political Science.—The Examination will not be confined to Analytical Jurisprudence, Early Institutions, and Theory of Legislation, but may embrace Comparative Politics, the History of Political Theories, etc. Candidates will be expected to show a knowledge of original authorities.

English Law.—Law of Contract ; Law of Evidence ; Law of the Constitution ; Criminal Law ; Law of Torts.

The following applies only to candidates for Clerkships on the Establishment of the Foreign Office, for Attachéships in the Diplomatic Service, and for Student Interpreterships in China, Japan and Siam :

Spanish. Translation, Composition and Conversation.—In the conversation test importance is attached to pronunciation. The study of phonetics is an important aid to correctness of pronunciation.

Spanish, History of the Language and Literature.—Passages for translation may be set, and questions asked, demanding a knowledge of the language in its early stages; but it will not be obligatory upon candidates to master in detail the old forms in use before 1500. Candidates will not be required to write their answers in Spanish.

CIVIL SERVICE COMMISSION,

July 1913.

[Copies of this paper may be obtained on application to the Secretary to the Government of India, Home Department.]

CIVIL SERVICE OF INDIA.

OPEN COMPETITION OF 1914.

FORM TO BE FILLED UP BY CANDIDATES FOR EXAMINATION.

*** *The order for admission to the Examination wi'l not be issued unless this Form,* filled up by the Candidate himself, *is received by the Secretary of the Civil Service Commission on or before the* **1st June, 1914.**

SIR,

I beg to inform you that I wish to be admitted to the Open Competitive Examination for the Civil Service of India, which is appointed to commence in London on the 1st of August, 1914.

Candidates not born within the British Dominions should state this fact in a separate letter.

I am a natural-born subject of His Majesty.

I hereby declare that I was born on the ______ day of ______ 18 ___, and that therefore I shall have attained the age of 22 years and shall not have attained the age of 24 years on the 1st of August, 1914; I also declare that I have no disease, constitutional affection, or bodily fiinrmity unfitting me, or likely to unfit me, for the Civil Service of India; and that I am of good moral character, and otherwise eligible under the Regulations; and I undertake that, if I am successful, I will conform, during my period of probation, to such rules respecting the conduct of Public Servants as have been laid down, or may hereafter be laid down, by the Secretary of State for India in Council.

Candidates who are not Natives of India should strike out this paragraph.

I send herewith a Certificate of age and nationality, issued in accordance with the rule respecting Natives of India printed in paragraph III on the next page.

*If you have never been examined, insert here the word "never".

†If you have been examined, give the date, etc., of the *last* occasion.

I beg to inform you that I was* ______ examined before the Civil Service Commissioners in the month of† ______ in the year 1 ______, as Candidate for the situation of ______.

I am, SIR,

Your obedient Servant,

‡If a London address, state the postal district; if a country address, state the post town.

Name in full ______

Address to which it desired that the Order for Examination should be sent‡ ______

______

______

The Secretary,

Civil Service Commission.

Date ______

Certificates of age (except as mentioned above), health, and character should not be supplied until after the result of the Examination is known.

N.B.—Attention is drawn to the Selection Form on pages 3 and 4, which must be filled up by every Candidate.

This Application form relates only to the Competition for the Civil Service of India, and does not entitle a Candidate to compete also for the Home or Colonial Services. Intending Candidates for either or both of these services must obtain the proper form or forms of application and forward them so as to reach the Secretary, Civil Service Commission, on or before June 1st. See next page.

If an Open Competitive Examination for Clerkships (Class I.) in the Home Civil Service should be appointed to be held in August, 1914, I request that a prescribed Form of Application* may be forwarded to me when ready for issue.

Signature ____________________

If an Open Competitive Examination for Eastern Cadetships should be appointed to be held in August, 1914, I request that a prescribed Form of Application* may be forwarded to me when ready for issue.

Signature ____________________

* These Forms will be ready about Easter, 1914.

EVIDENCE OF AGE TO BE REQUIRED FROM CANDIDATES FOR THE CIVIL SERVICE OF INDIA.

I. Every Candidate born in the United Kingdom should be prepared to produce, when required, a Certificate from the Registrar-General of Births, Marriages, and Deaths, or from one of his provincial Officers. This Certificate may be obtained from the Registrar-General in London, Dublin, or Edinburgh, or from the Superintendent Registrar of the District in which the birth took place.

II. A Candidate born of European parents in India should be prepared to produce, when required, a Certificate of Baptism from the district in which he was baptised. If this does not also mention the date of birth it should be accompanied by a statutory declaration by one of the Candidate's parents, stating the date and place of birth. When such Certificate is not in the possession of the Candidate an Extract from the Registers kept at the India Office will probably be obtainable.

III. A Candidate who is a Native of India must, on or before the 1st June, 1914, produce a Certificate of age and nationality issued under Notification of the Government of India, no. 2252, dated 21st August, 1898, as amended by Notification no. 404, dated 1[illegible] May 1898, and signed, should he be a resident in British India, by the Secretary to Government of the Province, or the Commissioner of the Division within which his family resides: or, should he reside in a Native State, by the highest Political Officer accredited to the State in which his family resides. *No other Certificates will be accepted for this Competition.*

To be filled up by the Candidate himself, and returned with the Form of Application.

CIVIL SERVICE OF INDIA. OPEN COMPETITION OF 1914.

SELECTION FORM.

*** *Place your Initials against the Subjects which you select; if your selections exceed 6,000 marks indicate the Subject which is to be reduced; and sign your name in the place indicated on the next page.*

INITIALS.		MAXIMUM MARKS.
....	1. English Composition	500
....	2. Sanskrit, Language and Literature	800
....	3. Arabic, Language and Literature	800
	Greek, not less than two sub-divisions, of which one must be Translation :—	
....	4. Translation	400
....	5. Prose Composition	200
....	6. Verse Composition	200
....	7. Literature, &c.	300
	Latin, not less than two sub-divisions, of which one must be Translation :—	
....	8. Translation	400
....	9. Prose Composition	200
....	10. Verse Composition	200
....	11. Literature, &c.	300
....	12. English, Language and Literature ...	600
....	13. Italian, Translation, Composition and Conversation ...	400
....	*14. Italian, History of the Language and Literature ...	200
....	15. French, Translation, Composition and Conversation ...	400
....	*16. French, History of the Language and Literature ...	200
....	17. German, Translation, Composition and Conversation ...	400
....	*18. German, History of the Language and Literature ...	200
....	19. Lower Mathematics	1,200
....	20. Higher Mathematics	1,200

* The History of these Languages and their Literatures can only be taken by Candidates who also offer themselves for the rest of the examination in those languages.

INITIALS.			MAXIMUM MARKS.
		Natural Science, *i.e.*, any number not exceeding *four* of the following, or *three* if both Lower and Higher Mathematics be also taken :—	
....	21.	†Chemistry	600
....	22.	Physics	600
....	23.	Geology	600
....	24.	†Botany	600
....	25.	Zoology	600
....	26.	Animal Physiology	600
....	27.	Geography	600
....	28.	Greek History (Ancient, including Constitution) ...	500
....	29.	Roman History (Ancient, including Constitution) ...	500
		English History, either or both sections may be taken :—	
....	30.	Section I., A.D. 1485	400
....	31.	Section II., A.D. 1485 to 1848	400
....	32.	General Modern History	500
....	33.	Logic and Psychology	600
....	34.	Moral and Metaphysical Philosophy	600
....	35.	Political Economy and Economic History ...	600
....	36.	Political Science	500
....	37.	Roman Law	500
....	38.	English Law	500

Signature ____________________

Date ____________________

To the Secretary,

Civil Service Commission,

London, W.

N.B.—Attention is drawn to the Application Form on page 1, which must be filled up by every Candidate.

† For the Practical Examination in Chemistry, Candidates may bring any standard books on Analysis; and, for the Practical Examination in Botany, any standard Flora. All books brought must be submitted to the Presiding Examiner for his approval; no written notes of any kind will be allowed.

[COPIES OF THIS PAPER MAY BE OBTAINED ON APPLICATION TO THE SECRETARY TO THE GOVERNMENT OF INDIA, H ME DEPARTMENT.]

I.C.S.

1914.

NOTE.

If Open Competitive Examinations for the following Services, *viz.*—

Eastern Cadetships in the Colonial Service;

Clerkships (Class I) in the Home Civil Service;

should be held in 1914 concurrently with the Open Competitive Examination for the Civil Service of India, candidates duly eligible in respect of age will be admitted to compete for any two or all three of these Services, subject to the following conditions:—

(1) They must send to the Secretary, Civil Service Commission, within the time appointed, an application on the form prescribed for each of the respective services.‡

(2) Every successful candidate who may have been admitted to compete for either the India or the Colonial Service or both), as well as for the Home Service, will be called upon to declare, immediately after the announcement of the result of the competitions, whether he prefers his name to remain on the list of candidates for the India or Colonial Service or on the list of candidates for Clerkships in the Home Civil Service.

The name of any candidate who fails to declare his choice when called upon to do so will be removed from the list of candidates for Clerkships in the Home Civil Service.

(3) Every successful candidate who may have been admitted to compete for both the India and Colonial Services will be called upon to declare, immediately after the announcement of the result of the competitions, whether he prefers his name to remain on the list of candidates for the Civil Service of India or on the list of candidates for Eastern Cadetships in the Colonial Service.

The name of any candidate who fails to declare his choice when called upon to do so will be removed from the list of candidates for Eastern Cadetships.

(4) All declarations of choice are irrevocable.

(5) Candidates for all three or any two of the above-mentioned services will be required to pay a consolidated fee of £6.

CIVIL SERVICE COMMISSION,

July, 1913.

‡ Candidates who may desire to enter the competitions for the Home and Colonial Services should apply about Easter next to the Secretary, Civil Service Commission, London, W., for the prescribed forms of application. The forms must reach the Secretary on or before the 1st June.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

EMIGRATION.

No. 7773—7789—116.

Simla, the 18th September, 1913.

RESOLUTION—By the Government of India, Department of Commerce and Industry.

Intimation has been received from His Britannic Majesty's Consul-General at Manila that Indians endeavouring to enter the United States of America after a term of residence in Manila are liable to be refused admission, and that there are no openings for Indian employment in Manila.

The Governor General in Council accordingly requests all Local Governments and Administrations to make the above intimation as widely known as possible, particularly in places from which emigration to Manila is believed to be most common. Intending emigrants should also be warned at the port of embarkation of the risks they run in proceeding to Manila.

Ordered that a copy of the above Resolution be forwarded, for information and guidance, to the Local Governments and Administrations noted in the margin and to the Home and Foreign Departments for information.

The Secretary to the Government of Madras.
The Secretary to the Government of Bombay.
The Secretary to the Government of Bengal.
The Secretary to the Government of Bihar and Orissa.
The Secretary to the Government of the United Provinces.
The Secretary to the Government of the Punjab.
The Secretary to the Government of Burma.
The Hon'ble the Chief Commissioner of the Central Provinces.
The Hon'ble the Chief Commissioner of Assam.
The Hon'ble the Chief Commissioner of Delhi.
The Chief Commissioner of Coorg.
The Hon'ble the Chief Commissioner of Ajmer-Merwara.
The Hon'ble the Chief Commissioner and Agent to the Governor-General, North-West Frontier Province.
The Hon'ble the Agent to the Governor-General and Chief Commissioner in Baluchistan.

Ordered, also, that a copy be published in the *Gazette of India* for general information.

J. F. GRUNING,
Offg. Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

ECCLESIASTICAL.

Simla, the 18th September, 1913.

No. 492.—The Governor General in Council is pleased to direct that the following note shall be inserted after rule 1 (5) in Part II of the Ecclesiastical rules published with the Department of Education Notification No. 212, dated the 10th May 1913 :—

"*Note.*—When a headstone or cross over a non-masonry grave exceeds a height of three feet, an additional fee of Rs. 16 (*i.e.*, Rs. 21 in all) is chargeable."

L. C. PORTER,
Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 19th September, 1913.

PROMOTIONS.

INDIAN ARMY.

No. 781.—The following promotions are made, subject to His Majesty's approval :—

Majors to be Lieutenant-Colonels.

* * * * * * *

Edward Charles Bayley, C.I.E., 15th Lancers (Cureton's Multanis)—14th September 1913.

W. R. BIRDWOOD, *Major-General*,
Secretary to the Government of India.

FROM THE SUPPLEMENT TO THE GAZETTE OF INDIA.

SEPTEMBER 20, 1913.

No. 7552—7581—121.

GOVERNMENT OF INDIA.

COMMERCE AND INDUSTRY DEPARTMENT.

GEOLOGY AND MINERALS.

Simla, 15th September 1913.

RESOLUTION.

In supersession of the rules published with Resolution Nos. 18—17—2, dated the 20th May 1899, the Governor-General in Council is pleased to prescribe the following rules for regulating the grant by Local Governments of licenses to prospect for minerals and the grant of mining leases in British India :—

Rules for the grant by Local Governments of Licenses to prospect for Minerals and of Mining Leases in British India.

The following rules regulating the grant by Local Governments of licenses to prospect for minerals and the grant of leases of mines and minerals have been made by the Governor-General in Council, and sanctioned by the Secretary of State for India in Council.

PART I.—GENERAL.

1. No license to prospect for minerals or lease of mines and minerals can be granted by any Local Government otherwise than in accordance with these rules, except with the previous sanction of the Secretary for State of India in Council, or with that of the Governor-General in Council under any general or special authority which he may have received in this behalf from the Secretary of State in Council.

2. In these rules :—

"Collector" means the Revenue Officer in charge of the district ;

"Local Government" includes a Chief Commissioner ; and

"Person" includes, besides individuals, a public company registered in India or in the United Kingdom, having a duly empowered agent resident in India, or a syndicate, partnership or private firm of which one or more of the members reside in India, or which has a duly authorised agent resident in India.

3. A license or lease under these rules may be granted to any person ; in case of the death of the person or any of the persons to whom it is granted, it shall inure for the benefit of his legal representatives.

4. For the purposes of these rules the Local Government may, in Provinces where there is a Board of Revenue or Financial Commissioner, delegate to such authority all or any of the powers conferred on Local Government by these rules.

5. Nothing in these rules shall apply to minor minerals such as slate, building stone, limestone and clay, the extraction of which will continue to be regulated by such separate rules as the Local Government may lay down in accordance with local circumstances and requirements.

6. The issue of exploring licenses authorising the surface of land to be searched for minerals having been discontinued, the surface of unoccupied and unreserved land which is the property of Government may be freely searched without authority. In the case of occupied land search can be made only with the consent of the occupier.

Provided that in the case of Baluchistan and the North-West Frontier Province, no operations for the exploration of the surface of land for minerals shall be carried on, except under a license granted on such terms as the Local Administration may prescribe.

Certificate of approval.

7. No prospecting license or mining lease shall be granted except to a person holding a certificate of approval from the Local Government, within whose jurisdiction the land lies for which the license or lease is asked.

8. A certificate of approval shall have effect from the date thereof, and shall expire at midnight on the 31st of December next following : provided that a certificate issued in the last quarter of the year shall be valid until the 31st of December of the year following. Only one person shall be named in the certificate. The fee payable therefor shall be Rs. 50, and the certificate shall cover applications in respect of minerals of all kinds.

9. A certificate of approval may be renewed at the discretion of the Local Government on payment of a fee of Rs 10, if the application for renewal is received within one month after the date of expiry of the original certificate. Otherwise the full fee of Rs. 50 shall be charged. The Local Government may delegate to any officer, not below the rank of Collector, the power to renew a certificate of approval on payment of the prescribed fee, in any case in which the certificate-holder has carried on operations under a prospecting license or mining lease within the jurisdiction of the officer to whom the power is delegated.

10. The names of persons to whom certificates of approval have been granted shall be published in the Local Government Gazette, and every application for a prospecting license or a mining lease shall contain a statement of the number and date of the Gazette notification of the certificate of approval.

11. Before considering an application for a prospecting license or a mining lease, the Collector shall verify the Gazette notification quoted, and shall refuse any application for a license or a mining lease from a person not in possession of a valid certificate of approval: provided that the Collector may at his discretion require the production of the original certificate of approval.

12. Licenses or leases previously granted may be held by a grantee who is no longer in possession of a certificate of approval.

PART II.—PROSPECTING LICENSES.

13. A license to prospect for minerals or mineral oil, called hereinafter a prospecting license, shall confer on the licensee the sole right, subject to the conditions contained in the license, to mine, quarry, bore, dig and search for, win, work, and carry away any mineral or mineral oil lying, or being within, under or throughout the land specified in the license.

Provided that the right to prospect for reserved minerals shall be exercised only by British subjects.

14. A prospecting license shall be granted only in respect of land in which the mines, minerals, or mineral oils are the property of Government.

15. Every application for a prospecting license shall, unless the Local Government shall in any case otherwise direct, be made to the Collector of the district in which the land or some part of the land with respect to which the license is required is situate.

16. Every such application shall contain the following particulars, namely :—

(a) The name, profession and residence of the applicant, if he is an individual ; or if the applicant is a company, syndicate, partnership or private firm, its name and nature and place of business ; and if the place of business is outside India, the name and residence of a member or duly authorised agent resident in India.

(b) A description, illustrated by a map or plan, showing as accurately as possible the situation, boundaries and area of the land with respect to which the license is required.

17. Should the applicant for a prospecting license desire the Collector to prepare for him the map or plan required by the foregoing rule, or should the map or plan presented by the applicant be insufficient, the Collector may prepare the map or plan required, and may, if he so order, recover the cost from the applicant at such rate or rates as the Local Government may by general order prescribe.

18 The Local Government may declare, in respect of any specified area, that in lieu of presenting an application containing the particulars required in rule 16 above, the applicant for a prospecting license shall adopt the procedure set forth below, or such modification thereof as the Local Government may prescribe :—

(1) He shall, before forwarding his application to the Collector, demarcate the area applied for in the following method:—

(a) At every angle or corner of each boundary line or as near thereto as is practicable, he shall fix pegs of substantial material, standing not less than 2 feet above the surface of the ground, and being not less than 3 inches square or 3 inches in diameter.

(b) If pegs be not obtainable, he may use instead cairns of stones or mounds of earth, having in each case a height of not less than 2 feet and a diameter at the base of not less than 2 feet.

(c) The direction of the boundary line on each side of each peg, cairn or mound shall be indicated with reasonable care by a trench having a length of 4 feet, and a breadth and depth of not less than 6 inches : provided that if trenches cannot be conveniently cut, the direction of the boundary lines shall be indicated by finger posts, or in any other manner suitable for the purpose.

(d) The pegs, cairns or mounds shall bear or have affixed thereto some distinguishing mark which shall be described in the application.

(e) In the case of an application for land on the seashore, it shall not be necessary to mark out the land below highwater level.

(f) No peg, cairn, mound, or other mark employed in marking out the land applied for, shall be removed or defaced after the application shall have been filed, without the permission of the Collector.

(2) The application to the Collector shall contain the following particulars, viz :—

(a) The name, profession and residence of the applicant, if he is an individual ; or if the applicant is a company, syndicate, partnership or private firm, its name, and nature and place of business, and if the place of business is outside India, the name and residence of a member or duly authorised agent resident in India.

(b) A description, as accurate as possible, and illustrated by a sketch, of the situation, boundaries and area of the land with respect to which the license is required.

(c) A description of the distinguishing mark on the pegs, cairns or mounds constructed to mark out the boundaries of the concession applied for.

(d The date of marking out the concession applied for.

(3) The application shall be accompanied by a deposit at such rate or rates as the Local Government may by general order prescribe to meet the cost of survey of the area.

(4) Unless the Collector is of opinion that it is not expedient to grant the license, he shall, as soon as possible after the receipt of the application, cause the land applied for to be surveyed at the expense of the applicant, and the area and all other details ascertained in the course of such survey shall be presumed to be correct. Provided that the Collector may at his discretion dispense with such survey, if the boundaries of the area applied for conform to boundaries already ascertained in a Government survey, *e.g.*, the boundaries of survey numbers in a revenue survey.

19. On receipt of any application under rule 13 or rule 18 the Collector, or such officer as he may authorise to do so, shall note thereon the date and hour of its receipt, and shall deliver to the applicant an acknowledgment stating the date and hour of receipt.

20. The Collector shall then, as soon as practicable inquire whether the grant of the license applied for is inexpedient, either on the ground that the land described in the application is required for a public purpose or otherwise.

21. Should the Collector be of opinion that it is not expedient to grant the license, he shall refuse to grant it. An appeal shall lie from the order of the Collector to the next higher revenue authority.

22. Subject to the control of the Local Government, the Collector, if he finds that the applicant is in possession of a valid certificate of approval and that there is no objection to the grant of the license applied for, may grant to the applicant a license in such form as may be prescribed.

23. In the case of two or more applications affecting the same land, the prior right to a license shall, subject to any order to the contrary which the Local Government may in its discretion pass in any particular case, be deemed to lie with the applicant, who being the holder of valid certificate of approval and after compliance with the procedure prescribed by the rules, shall have been the first to file his application with the Collector.

24. Every applicant shall, before the license is granted, deposit as security in respect of such license, a sum of Rs. 100 per square mile or part of a square mile of the area covered by the license, or, with the Collector's permission, give security to a like amount to the satisfaction of the Collector.

25. Subject to such deduction on account of compensation for surface damage, penalty, or otherwise as the Collector may order, the amount of any deposit made under the foregoing rule, should the depositor afterwards be granted a mining lease, will be carried to his credit as part of the rents, royalties or deposit money payable under the lease. Or should he decline to receive or fail to obtain any such lease as aforesaid, the amount will be returned to him on his satisfying the Collector that the condition in rule 30 (*viii*) has been complied with and on his furnishing the Collector with the information required by rule 33.

26. If a license is not executed within three months after leave has been granted for it, the right of the applicant to such license shall be held to have lapsed, unless the Local Government, for special reasons, consents to grant the same notwithstanding the delay or considers that the delay is not attributable to the applicant.

27. A register of applications for prospecting licenses shall be kept in English in the Collector's Office, specifying—

(1) Serial number,
(2) Name of applicant,
(3) Residence of applicant,
(4) Date and number of certificate of approval granted to applicant,
(5) Date of application,
(6) If application received incomplete, the date of completion,
(7) Situation and boundaries of the land,
(8) Estimated area,
(9) Date of license, if granted; (or date of order of refusal),
(10) Period for which granted, with note as to renewal or extension,
(11) Fee and royalty payable under rule 30 (*ii*) and (*iii*),
(12) Amount of deposit, and
(13) Particulars of disposal or refund of deposit.

28. The register shall be open to inspection by any holder of a valid certificate of approval or his duly authorised representative, on payment of such fee as the Local Government may prescribe.

29. A return of licenses granted or refused shall be submitted by the Collector at such intervals and to such authority as the Local Government may direct.

30. Every prospecting license shall contain such conditions as may in any particular case seem necessary, and shall in all cases contain the following conditions:—

(*i*) The term for which the license shall be granted shall be one year or such shorter term as the applicant may desire. The license may be renewed by the Collector for a further term not exceeding two years, whenever he is satisfied that a longer period than one year is required in order to enable the licensee to complete his search of the land:

Provided that, when the licensee has, before the termination of the period of the license, applied for the grant of a mining lease, the Collector may further extend the period of the license until a mining lease is granted or for such time as he may deem fit.

(*ii*) The licensee shall pay a fee not exceeding one rupee and not less than one anna per acre of the land covered by the license. When a license is renewed under the last foregoing condition, a fresh fee shall be payable, subject to the same maximum and minimum charge, for each year or part of a year for which the license is renewed. But no fee shall be payable for an extension of the term of license under the proviso to that condition.

(*iii*) The licensee shall pay royalty at a rate not exceeding 15 per cent. of the value on all precious stones won and carried away, and a royalty at the rates specified in Schedule A in Part IV of these rules on all other minerals won and carried away over and above such quantity as is allowed in Schedule B to be taken free for purposes of experiment.

(*iv*) The licensee shall make and pay such reasonable satisfaction and compensation, as may be assessed by lawful authority in accordance with the law in force on the subject applying to the lands over which the license has been granted, for all damage, injury or disturbance which may be done by him in exercise of the powers granted by the license, and shall indemnify the Government against all claims which may be made by third parties in respect of any such damage, injury or disturbance.

NOTE.—The powers necessary for the proper enjoyment of minerals, the property of Government, together with the methods according to which such powers are to be exercised by Government or by its assignees, are governed by the law for the time being in force in each province. Where the law confers such powers on the Local Government or its assignees, the Local Government may make local rules indicating the conditions on which licensees shall have right of access to minerals, the right to use of water in connection with the working thereof, and the like.

(*v*) The licensee shall not cut or injure any tree on unoccupied and unreserved land without the permission in writing of the Collector, or of such officer or officers as he may appoint: nor, without the permission of the Collector, shall he disturb the surface of any road, or enter on any public pleasure ground, burning or burying ground, or place held sacred by any class of persons, or interfere with any right-of-way, well or tank.

(*vi*) The licensee shall have power to assign his license or transfer any right or interest thereunder to a person holding a valid certificate of approval subject to the following conditions:—

(a) No such assignment or transfer shall be made in favour of any person who by himself or by those joint in interest with him, already holds a mining lease or leases over ten square miles within the territories administered by the Local Government within whose jurisdiction the land lies for which the license has been granted.

The actual position of the transferee in this matter, if not known to the licensee should be ascertained from the Local Government.

(b) Every such assignment or transfer shall be reported to the Collector within one calendar month from the date of its completion, together with full particulars of the transaction.

(c) Every such assignment or transfer shall within a further period of two months be registered in the office of the Collector on payment of a fee of Rs. 50:

Provided that in the case of any particular mineral reserved by order of the Governor-General in Council, the previous sanction of the Local Government to the assignment or transfer shall be required.

The minerals reserved at present are petroleum, chromite, and ores of manganese vanadium, molybdenum, nickel, and tungsten.

Provided also that in the North-West Frontier Province and Baluchistan no transfer or assignment in the case of any mineral whatever may be made without the consent of the Agent to the Governor General and Chief Commissioner.

(vii) In case of any breach on the part of the licensee or his transferee or assignee of any of the preceding clauses, the Collector may summarily revoke the license, and thereupon all rights conferred thereby or enjoyed thereunder shall cease; or, should he see fit, he may, in lieu thereof, declare to be forfeited to Government, the whole or any part of the deposit made by the licensee under rule 24. An appeal shall lie to the Local Government against any such order within thirty days from the date of its communication to the licensee.

(viii) Save in the case of land over which the licensee shall have been granted a mining lease on or before the determination of the license, he shall within six months next after the determination of the license or the date of the abandonment of the undertaking, whichever shall first occur, securely plug any bores and fill up or fence any holes or excavations that he may have made in the land to such extent as the Collector may require, and shall to the like extent restore the surface of the land and all buildings thereon which he may have damaged in the course of prospecting:

Provided that the licensee shall not be compelled to restore the surface of land or any buildings in respect of which full and proper compensation has already been paid under condition (iv).

(ix) Should any question or dispute arise regarding the license, or any matter or thing connected therewith or the powers of the licensee thereunder, or the amount or payment of the fee or royalty made payable thereby, the matter in difference shall be decided by the Local Government whose decision shall be final.

31. All operations conducted under the authority of these rules within a reserved or protected forest shall be subject to such conditions as the Local Government may by general or special order from time to time prescribe. It shall be a condition of every license granted under these rules that, before the commencement of prospecting within a reserved or protected forest, 30 days' notice shall be given to the District Forest Officer of the intention to commence operations, and that the operations shall be conducted subject to any conditions regarding the use of fire that he may prescribe.

32. On or before the determination of his license, the licensee shall have a right—

(a) in the case of a mineral oil or minerals other than precious stones, to a mining lease in accordance with the terms contained in the rules for mining leases;

(b) in the case of precious stones, to the first offer of such mining lease as the Governor-General in Council may think fit to grant.

Such lease may include so much land, comprising the whole or a part only of the area for which the prospecting license was granted, as shall not exceed the area specified with respect to mining leases in rule 45.

33. If so required by the Collector, the licensee shall, before the deposit made under rule 24 is returned to him, disclose confidentially to the Collector, all information acquired in the course of the operations carried on under the license, regarding the minerals contained in, or the geological formation of, any area not taken up by him under a mining lease.

PART III—MINING LEASES.

34. Every application for the grant of a mining lease, not being a lease of a mine of precious stones, shall be presented to the Collector in whose district the land or some part of the land with respect to which the lease is required, is situate. The Collector shall forward the application through the proper channel to the Local Government.

35. A mining lease shall be granted only in respect of land in which the mines, minerals or mineral oils are the property of Government.

36. With the application, the applicant shall deposit as security in respect of preliminary expenses such sum, not exceeding Rs. 500, as the Collector may determine, or with the Collector's permission, give security to the like amount to the satisfaction of the Collector. If the application relates to an area for which the applicant holds a prospecting license, any amount held in deposit under rule 24 in respect of such prospecting license, will be carried to his account.

37. The amount of any deposit made under rule 36, less any expenses incurred by or on behalf of Government, will, if the depositor be granted a mining lease, be carried to his credit, as part of the rent or royalties payable under the lease, or if he declines or fails to obtain any such lease as aforesaid, will be returned to him.

38. Every application for a mining lease shall contain the following particulars namely :—

(a) the name, residence and profession of the applicant if he is an individual, or if the applicant is a company, syndicate, private firm or partnership, its name and nature and place of business, and if the place of business is outside India, the name and residence of a member or duly authorised agent resident in India ;
(b) a specification of the mineral or minerals for which the applicant intends to mine ;
(c) a description, illustrated by a map or plan, showing as accurately as possible the situation, boundaries and area of the land with respect to which the lease is required ;
(d) a statement showing all areas within the jurisdiction of the Local Government already held by the applicant or by any person joint in interest with him in prospecting or mining right ;
(e) the period for which the lease is required.

39. Should the applicant for a mining lease desire the Collector to prepare for him the map or plan required by the foregoing rule, or should the map or plan presented by the applicant be insufficient, the Collector may prepare the map or plan required, and may, if he so order, recover the cost from the applicant at such rate or rates as the Local Government may by general order prescribe.

NOTE.—It shall be competent to the Local Government by general order to direct that an accurate survey be made at the expense of the lessee of all land granted on mining lease, if a map or plan has not been already prepared by the Collector. Such survey may be made at any time after it is decided to grant the lease, the object being to secure an authoritative record of the area covered by the lease.

40. The Local Government may declare in respect of any specified area, that in lieu of presenting an application containing the particulars required in rule 38 above, every applicant for a mining lease over an area, in respect of which he is not already in possession of or has not submitted an application for a prospecting license, shall adopt the procedure set forth below, or such modification thereof as the Local Government may prescribe :—

(1) He shall, before forwarding his application to the Collector, demarcate the area applied for in the following method :—

(a) At every angle or corner of each boundary line, or as near thereto as is practicable, he shall fix pegs of substantial material standing not less than 2 feet above the surface of the ground, and being not less than 3 inches square or 3 inches in diameter.
(b) If pegs be not obtainable, he may use instead, cairns of stones or mounds of earth, having in each case a height of not less than 2 feet and a diameter at the base of not less than 2 feet.
(c) The direction of the boundary line on each side of each peg, cairn or mound shall be indicated with reasonable care by a trench having a length of 4 feet, and a breadth and depth of not less than 6 inches ; provided that if trenches cannot be conveniently cut, the direction of the boundary lines shall be indicated by finger posts, or in any other manner suitable for the purpose.
(d) The pegs, cairns or mounds shall bear or have affixed thereto some distinguishing mark which shall be described in the application.
(e) In the case of an application for land on the seashore, it shall not be necessary to mark out the land below high-water level.

(f) No peg, cairn, mound, or other mark employed in marking out the land applied for shall be removed or defaced after the application shall have been filled without the permission of the Collector.

(2) The application to the Collector shall contain the following particulars, *viz*:—

(a) The name, profession and residence of the applicant, if he is an individual; or if the applicant is a company, syndicate, partnership or private firm, its name and nature and place of business, and if the place of business is outside India, the name and residence of a member or duly authorised agent resident in India.

(b) A description, as accurate as possible, and illustrated by a sketch, of the situation, boundaries and area of the land with respect to which the lease is required.

(c) A description of the distinguishing mark on the pegs, cairns or mounds constructed to mark out the boundaries of the concession applied for.

(d) The date of marking out the concession applied for.

(e) A specification of the mineral or minerals for which the applicant intends to mine.

(f) A statement showing all areas within the jurisdiction of the Local Government already held by the applicant or any person joint in interest with him in prospecting or mining right.

(g) The period for which the lease is required.

(3) The application shall be accompanied by such deposit, in addition to that prescribed in rule 36 above, as the Local Government may by general or special order declare to be required to meet the cost of survey of the area.

(4) The Collector shall, as soon as possible after the receipt of the application, cause the land applied for to be surveyed at the expense of the applicant, and the area and all other details ascertained in the course of such survey shall be presumed to be correct.

41. On receipt of any application under rule 38 or 40 above, the Collector, or such officer as he may authorise to do so, shall note thereon the date and hour of its receipt, and shall deliver to the applicant an acknowledgment stating the date and hour of receipt.

42. In the case of two or more applications affecting the same land and presented by applicants who are not in possession of, or have not applied for, prospecting licenses in respect thereof, the prior right to a lease shall, subject to any order which the Local Government may pass in any particular case, be deemed to lie with the applicant who, being the holder of a valid certificate of approval and after compliance with the procedure prescribed by the rules shall have been the first to file his application with the Collector.

43. A register of applications for mining leases shall be kept in English in the Collector's office specifying, as far as may be, the matters prescribed by rule 27 for the register of applications for prospecting licenses.

44. The register shall be open to inspection by any holder of a certificate of approval or his duly authorized representative on payment of such fee as the Local Government may prescribe.

45. On receipt of the application from the Collector, the Local Government may, if the applicant is entitled to a lease under rule 32, or if it considers that the applicant should be granted a mining lease, grant the same in accordance with these rules over such area as it may think fit:

Provided that no mining lease shall be granted by the Local Government under these rules, so as to cause the total area held under mining leases for minerals of whatsoever kind by the lessee or by those joint in interest with him to exceed ten square miles within the territories administered by the Local Government.

46. If a lease is not executed within six months after leave has been granted for it the right of the applicant to such lease shall be held to have lapsed, unless the Local Government for special reasons consents to grant the same notwithstanding the delay, or considers that the delay is not attributable to the applicant.

NOTE—Every lease shall before it is executed be approved by the Advocate General or other legal adviser, if any, appointed for the Province.

47. Without the previous sanction of the Governor-General in Council, the length of an area held under the mining lease shall not be allowed to exceed four times its breadth:

Provided that this rule shall not apply to areas in river beds held on lease for dredging purposes, in respect of which the Local Government may, with the sanction of the Governor-General in Council, make rules as to the dimensions and shape of areas for which such leases may be granted.

Provided also that the Governor-General in Council may delegate to the Local Government the power to grant exemption from the operation of this rule, in respect of specified minerals and subject to such restrictions as to limit of length or otherwise as he may think fit.

48. The boundaries below the surface of all areas given out on mining lease under these rules shall be considered to run vertically downwards towards the centre of the earth.

49. The term for which a mining lease may be granted shall not exceed 30 years, but the lease may contain a clause permitting renewal for a period not exceeding 30 years, on a dead and surface rent not exceeding twice the original dead and surface rent respectively, the royalty payable being that which may on the day next following that on which the original lease shall determine, be in force under the orders of competent authority.

50. Every mining lease shall contain such conditions and stipulations as the Local Government may in each case consider necessary: and shall in every case contain the following conditions, namely:—

(i) The lessee shall pay a royalty or royalties at the rate specified in the lease, which rate or rates shall be those fixed for the particular mineral or minerals in Schedule A in Part IV of these rules; and if any other mineral shall be discovered by him, then the royalty shall be paid therefor at such rate, not being less than 20 per cent. of the value thereof, as the Local Government may determine, until a mining lease has been obtained in respect of such mineral; but the lessee shall be entitled within twelve months from the discovery of such mineral to require and obtain such lease for the term then unexpired of his original lease; provided that, if he declines to take a lease as above provided, the Local Government may give a lease in respect of such mineral to any other person.

(ii) The lessee shall also pay for every year after the first year, a fixed yearly dead rent at a rate not less than that laid down in Schedule C in Part IV of these rules; provided that no lessee shall pay both royalty and dead rent in respect of the same lease, but only such one of them as may be of the greater amount.

(iii) The lessee shall also pay for all land which he may take up, use, or occupy for the purpose of the mine a surface rent at the rate specified in Schedule D.

(iv) The lessee shall at his own expense erect and at all times maintain and keep in repair boundary marks and pillars according to the demarcation to be shown in a plan annexed to his lease.

(v) The lessee shall make and pay such reasonable satisfaction and compensation as may be assessed by lawful authority in accordance with the law in force on the subject applying to the lands over which the lease has been granted, for all damage, injury or disturbance which may be done by him in exercise of the powers granted by the lease, and shall indemnify the Government against all claims which may be made by third parties in respect of any such damage injury or disturbance.

NOTE.—The powers necessary for the proper enjoyment of minerals, the property of Government, together with the methods according to which such powers are to be exercised by Government or by its assignees, are governed by the law for the time being in force in each province. Where the law confers such powers on the Local Government or its assignees, the Local Government may make local rules indicating the conditions on which lessees shall have right of access to minerals, the right to use of water in connection with the working thereof, and the like.

(vi) The lessee shall not cut or injure any tree reserved in the lease.

(vii) The lessee shall have power to assign his lease or transfer any right or interest thereunder to a person holding a valid certificate of approval subject to the following conditions:—

(a) No such assignment or transfer shall be made in favour of any person who, by himself or by those joint in interest with him, already holds a mining lease or leases which is or are, or which with the addition of the area now proposed for assignment or transfer will be over ten square miles within the territories administered by the Local Government within whose jurisdiction the land lies for which the lease has been granted. The actual position of the transferee in this matter, if not known to the lessee, should be ascertained from the Local Government.

(b) Every such assignment or transfer shall be reported to the Collector within one calendar month from the date of its completion, together with full particulars of the transaction.

(c) Every such assignment or transfer shall, within a further period of two months, be registered in the office of the Collector on payment of a fee of Rs. 50:

Provided that in the case of any particular mineral reserved by order of the Governor-General in Council, the previous sanction of the Local Government to the assignment or transfer shall be required.

The minerals reserved at present are petroleum, chromite and ores of manganese, vanadium, molybdenum, nickel and tungsten :

Provided also that in the North-West Frontier Province and Baluchistan, no transfer or assignment in the case of any mineral whatever may be made without the consent of the Agent to the Governor-General and Chief Commissioner.

(*viii*) Unless prevented by reasonable cause of which the Local Government shall be the judge, the lessee shall commence operations within one year from the date of the execution of the lease and shall thereafter carry them on effectually in a proper, skilful and mining-like manner. Should the lessee cease without such cause to work the mine for a period exceeding two years in such a manner as to produce sufficient mineral to earn a royalty at least equal to the dead rent, it shall be deemed a breach of this condition.

NOTE.—For the purpose of the first part of this condition, such measures as the erection of machinery for the purposes of working the mine, although not necessarily on the land covered by the lease, or the construction of roads or tramways in connection with the mine, shall be deemed to be sufficient compliance with the requirement of commencing operations.

(*ix*) The lessee shall keep correct accounts showing the quantity and particulars of all minerals obtained from the mine and the number of persons employed therein, and also complete plans of the mine, and shall allow any officer authorised by the Local Government in that behalf at any time to examine such accounts and plans, and shall furnish the Local Government with such information and returns in respect of the aforesaid matter as it may prescribe.

(*x*) The lessee shall allow existing and future license or lease-holders of any land which is comprised in or adjoins or is reached by the land held by the lessee, reasonable facilities of access thereto.

(*xi*) The lessee shall allow any officer authorised by the Local Government in that behalf to enter upon the premises comprised in the lease for the purpose of inspecting the same.

(*xii*) The lessee shall without delay report to the Collector the discovery on or within any of the lands or mines demised by the lease of any mineral not specified in the lease.

(*xiii*) Should the royalty or rent reserved or made payable by the lease be not paid within two months next after the date fixed in the lease for the payment of the same, the Local Government may enter upon the said premises and distrain all or any of the minerals or moveable property therein, and may order the sale of the property so distrained or so much of it as will suffice for the satisfaction of the rent or royalty due and all costs and expenses occasioned by the non-payment thereof; and, if any royalty or rent remain at any time unpaid for six calendar months after the date on which it is due, the Local Government may determine the lease and take possession of the premises comprised therein.

(*xiv*) In case of any breach on the part of the lessee of any covenant or condition contained in the lease, the Local Government may determine the lease and take possession of the said premises; or, in the alternative, may accept payment of a penalty, not exceeding twice the amount of the annual dead rent, from the lessee.

(*xv*) At the end or sooner determination of the lease, the lessee shall deliver up the said premises and all mines (if any) dug therein in a proper and workman-like state, save in respect of any working as to which the Local Government may have sanctioned abandonment.

(*xvi*) Should any question or dispute arise regarding the lease or any matter or thing connected with the mines and minerals leased or the working or non-working thereof or the amount or payment of the royalty or rent reserved or made payable by the lease, the matter in difference shall be decided by the Local Government, whose decision thereon shall be final.

51. All operations conducted under the authority of these rules within a reserved or protected forest shall be subject to such conditions as the Local Government may by general or special order from time to time prescribe. It shall be a condition of every lease granted under these rules that before the commencement of work within a reserved or protected forest, 30 days' notice shall be given to the District Forest Officer of the intention to commence operations, and that the operations shall be conducted subject to any conditions regarding the use of fire that he may prescribe.

52. Every mining lease which includes any portion of a reserved or protected forest shall, if it authorises the lessee to fell timber for mining purposes, specify the area within

which, or the quantity up to which, and the terms and conditions upon which, he may exercise that authority.

53. No lease of a mine of precious stones shall be granted except by the Governor-General in Council. The procedure for obtaining, and the conditions of, such lease shall be those prescribed by rules 34 to 50, read as if the Governor-General in Council were substituted for the Local Government.

54. The lessee shall be at liberty to determine the lease at any time on giving not less than twelve calendar months' notice in writing to the Collector; and upon the expiration of such notice, provided that all sums due on account of the lease shall have been paid, the lease shall be determined. When a lessee exercises his option of determining a lease, he shall not be granted subsequently a new lease over a portion only of the land covered by the original lease.

PART IV.—RENTS AND ROYALTIES.

SCHEDULE A.

Royalty—Rule 30 *(iii) and* 50 *(i).*

Coal, exclusive of dust and coal used on the works ...	5 per cent. on the sale value at the pit's mouth with a minimum of 2 annas per ton.
Coal dust	Half the rates fixed for coal.
Mica	5 per cent. on the sale value at the pit's mouth.
Oil	8 annas per 40 gallons or 5 per cent. *ad valorem* on gross value.
Gold and silver	7½ per cent. on the profits* of each year taken separately or 2½ per cent. on the gross value, at the option of the Local Government.
Iron	½ anna per ton of iron stone.
Precious stones	30 per cent. on the net profits of each year taken separately (for mining leases only).
All other minerals not specified above ...	2½ per cent. on the sale value at the pit's mouth, or on the surface, of the dressed ore or metal, convertible at the option of the Local Government to an equivalent charge per ton to be fixed annually or for a term.

*Profits shall be taken to mean the excess of the revenue which is wholly derived from the sale of the mineral or minerals specified over expenditure, after all costs and expenses chargeable to the actual working and management of the mine shall have been included. But neither depreciation nor amortization nor Directors' fees, nor any revenue or expenditure obtained or incurred on account of share or capital transactions, or by trading, shall be brought into the account, provided that the fees of such Director or Directors as may actually direct technical operations and are specifically denoted as Managing Director or Managing Directors may be included in expenditure.

SCHEDULE B.

Maximum quantities removable free of royalty—Rule 30 *(iii).*

Class A.—Separated gold, platinum and other precious metals occurring in the native state.	*Nil.*
" B.—Auriferous rock and gravel	2 tons.
" C.—Metalliferous ores such as those worked for aluminium, iron, manganese.	10 "
" D.—Metalliferous ores, such as those worked for antimony, arsenic, bismuth chromium, copper, lead, nickel, tin, titanium, tungsten, zinc.	5 "

Class E.—Metalliferous ores such as those worked for cadmium, cobalt, mercury, molybdenum, silver, thallium, vanadium.	2 tons.
" F.—Compound ores containing the metals of class E in smaller quantities than those of class D.	5 "
" G.—Concentrates of the ores enumerated in classes D to F ...	2 cwt.
" H.—Coal, lignite	50 tons.
" I.—Petroleum	200 gallons.
" J.—Minerals of the so-called "rare earths," such as minerals worked specifically for cæsium, cerium, columbium, didymium, erbium, gallium, germanium, indium, lithium, niobium, rubidium, tantalum, thorium, uranium, yttrium and zirconium.	1 ton.
" K.—Minerals used in agriculture and chemical manufactures, such as bauxite, gypsum, iron pyrites, and pyritous shales.	10 tons.
" L.—Minerals used in various arts, such as barytes, bitumen, borax, corundum, emery, felspar, fluor spar.	½ ton.
" M.—Asbestos, graphite, mica, and native sulphur	1 cwt.
" N.—Precious stones and gems such as agate, amber, amblygonite, emethyst, aquamarine, beryl, chrysoberyl, chrysolite, diamond, emerald, garnet, jade and jadeite, jasper, lapis lazuli, moon stone, opal, ruby, sapphire, spinel, topaz, tourmaline, and turquoise.	Nil

SCHEDULE C.

Minimum Dead Rent—Rule 50 *(ii).*

Mineral.	Dead rent per acre (minimum).
(1) Coal, lignite, minerals used in agriculture and chemical manufactures, such as bauxite, gypsum, iron pyrites and pyritous shales.	4 annas per acre.
(2) Gold and silver, precious stones, and all minerals [not included in (1) above except iron-ore].	1 rupee per acre.
(3) Iron-ore	1 anna per acre.

Note.—These minima are purposely fixed low: but they are liable to be largely exceeded, according to the value of the deposit and degree of development of the country.

SCHEDULE D.

Surface Rent—Rule 50 *(iii).*

The rent rate assessable under the revenue and rent law of the Province, or, if no such rent is so assessable, the rate which may be fixed by Government, subject to a maximum of one rupee and a minimum of four annas per acre.

ORDER.—Ordered, that a copy of this Resolution be forwarded to all Local Governments and Administrations for information and guidance, and that a copy be forwarded to the Finance and Revenue and Agricultural Departments, to Chambers of Commerce, and to the Director, Geological Survey of India, for information.

Ordered, also, that the Resolution be published in the Supplement to the Gazette of India for general information.

J. F. GRUNING,

Offg. Secretary to the Government of India.

Panjab Government Press, Lahore—26-9-13—1762—860.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, OCTOBER 3, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED SEPTEMBER 27, 1913.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 25th September, 1913.

No. 42.—The Governor-General in Council is pleased to order the following promotions to and in the Chief Engineer classes with effect from the dates specified :—

Name.	From	To	With effect from
Gwyther, F. E. ...	Chief Engineer, 2nd class, *temporary rank.*	Chief Engineer, 2nd class, permanent.	8th August 1912.
White, C. A. ...	Chief Engineer, 1st class, *temporary rank.*	Chief Engineer, 1st class, permanent.	22nd October 1912.
Hutton, C. H. ...	Chief Engineer, 2nd class, permanent.	Chief Engineer, 1st class, permanent.	28th April 1913.
Wood, W. G. ...	Chief Engineer, 2nd class, *temporary.*	Chief Engineer, 2nd class, permanent.	28th April 1913.
[illegible]ves, R. E. ...	Officiating Chief Engineer ...	Chief Engineer, 2nd class, *temporary.*	28th April 1913.
Tickell, R. H. ...	Officiating Chief Engineer ...	Chief Engineer, 2nd class, *temporary.*	11th July 1913.
Gardiner, E. R. ...	Chief Engineer, 2nd class, permanent.	Chief Engineer, 1st class, permanent.	15th September 1913.
James, H. W. ...	Superintending Engineer, 1st class, permanent.	Chief Engineer, 2nd class, *temporary.*	15th September 1913.
Stawell, G. C. ...	Officiating Chief Engineer ...	Chief Engineer, 2nd class, *temporary.*	7th April 1913.

R. P. RUSSELL,

Secretary to the Government of India.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

NOTIFICATION.

Simla, the 26th September, 1913.

No. 271.—It is hereby notified for general information that the Railway Board have sanctioned a detailed survey being carried out by the Agency of Messrs. Gillanders Arbuthnot & Co., for a line of Railway on the 5′ 6″ gauge from Jullundur City to the Mirthal Ferry on the Beas River *viá* Tánda and Mukerián, a distance of about 56 miles.

2. This survey will be known as the Jullundur City-Mirthal Ferry Railway Survey.

T. RYAN,

Offg. Secretary, Railway Board.

Punjab Government Press, Lahore—3-10-13—1842—300.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, OCTOBER 10, 1913.

PART II.

Republication from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED 27TH SEPTEMBER 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 24th September, 1913.

No. 2003.—The services of Lala Hari Chand, Extra Assistant Commissioner, Delhi, are replaced at the disposal of the Government of the Punjab, with effect from the 12th September 1913.

POLITICAL.

The 26th September, 1913.

No. 599.—Whereas it appears to the Governor-General in Council that the pamphlet in Urdu entitled "Cawnpore ki Khuni Dastan" compiled by Khawaja Hasan Nizami and printed at the "Tauhid" press at Meerut, contains words of the nature described in section 4, sub-section (*i*), of the Indian Press Act of 1910 (I of 1910), in pursuance of the notification of the Governor-General in Council, No. 1908, dated the 1st October 1912, issued in accordance with the provisions of section 3 of the Delhi Laws Act of 1912 (XIII of 1912), and in pursuance of section 12 of the Indian Press Act of 1910 (I of 1910), the Governor-General in Council is pleased to declare the said pamphlet to be forfeited to His Majesty on the ground that, in his opinion, it contains words which may have a tendency to bring into hatred and contempt and to excite disaffection towards the Government established by law in British India.

H. WHEELER,
Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATION.

LEAVE AND APPOINTMENTS.

Simla, the 26th September, 1913.

No. 1201-*F. E.*—It is notified that, with effect from the 1st October 1913, the Military Finance Branch of the Finance Department Secretariat will be abolished, and an office of Financial Adviser, Military Finance, created in its place. From the same date, the Military Accountant-General and the Military Deputy Accountant-General will cease to be *ex-officio* Deputy and Assistant Secretary, respectively, to the Government of India.

2. In consequence of this change all official communications to the Government of India, which under present rules and practice would be addressed to the Joint Secretary to the Government of India in the Finance Department (Military Finance), will in future be addressed to the Secretary to the Government of India in the Finance Department, with the superscription "Military" upon the letter.

3. The present practice by which sanctions to military expenditure are ordinarily communicated to audit officers by the Secretary to the Government of India in the Army Department will be maintained.

J. B. BRUNYATE,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

LAND REVENUE.

Simla, the 26th September, 1913.

No. 1515-300.—The services of Mr. S. Wilberforce of the Indian Civil Service are replaced at the disposal of the Government of the Punjab with effect from the 11th September 1913.

J. H. KERR,

Offg. Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATIONS.

ECCLESIASTICAL.

Simla, the 26th September, 1913.

No. 526.—The Reverend Robert Fritz Stanley McKelvie, M.A., has been appointed to be a chaplain on probation on the Bengal (Lahore) Ecclesiastical Establishment to fill an existing vacancy.

SANITARY.

Simla, the 26th September 1913.

No. 1529.—The following papers regarding the proposal to throw open the ports of Madras, Calcutta and Chittagong for the embarkation of pilgrims to the Hedjaz are published for general information:—

No. 1991, dated the 23rd March 1912.

From—J. L. RIEU, Esq., I.C.S., Secretary to the Government of Bombay, General Department.

To—The Secretary to the Government of India, Department of Education.

At the meeting of the Legislative Council held at Bombay on the 16th instant, the Hon'ble Sir Ibrahim Rahimtoola moved the following resolution in connection with the regulation of pilgrim traffic:—

"That with a view to secure greater facilities to the pilgrims and to ensure reasonable rates of passage money from Bombay to the Hedjaz, the Governor in Council be requested to represent to the Government of India the desirability of throwing open for the embarkation of pilgrims the ports of Calcutta, Chittagong and Madras."

2. In support of the resolution the Honourable Member pointed out that before the advent of plague, Bombay, Karachi, Calcutta, Chittagong and Madras were the ports notified by the Government of India for the embarkation of pilgrims. But since then Bombay was the only port of embarkation and as a consequence immense number of pilgrims came to Bombay from distant parts of the country. Now that the detention of all outgoing pilgrims in a single central camp for quarantine purposes was no longer necessary and that the only restriction observed was a medical inspection for which the concentration of the traffic on a single port was not a matter of importance, the necessity no longer existed of closing the other ports to pilgrim traffic. It had already been proposed to open Karachi for the purpose, and he thought that if other ports were also opened, the difficulties which beset the Bombay authorities in connection with the regulation of the pilgrim traffic would in a great measure be removed. He contended that there was no chance of the excessive rates now charged by the steamship companies engaged in the pilgrim traffic being appreciably reduced unless the stream of pilgrims were diverted to other ports besides those of Bombay and Karachi.

3. The reply to the resolution on behalf of the Government of Bombay was to the effect that so far as Bombay was concerned the opening of Calcutta, Chittagong and Madras to the pilgrim traffic was desirable, as it would relieve the Bombay authorities of much trouble during the pilgrim season, more especially with regard to the repatriation of pilgrims who were landed in Bombay in a destitute condition, but that a resolution such as the one under consideration should have been moved in the Imperial Legislative Council and not in the local Legislative Council, as the latter were not in possession of the reasons that might exist against the removal of the embargo on the three ports referred to. It was further pointed out that the proposed opening of Karachi as a port of embarkation would go an appreciable way towards relieving the congestion of pilgrim traffic in Bombay and thus improving its conditions. Eventually, the Hon'ble Sir Ibrahim Rahimtoola accepted a modification of his resolution to the effect that the Government of Bombay be requested to enquire of the Government of India whether there were any reasons for not throwing open the ports of Calcutta, Chittagong and Madras for the embarkation of pilgrims. The resolution thus modified was agreed to by the Council.

4. In pursuance of the above resolution I am directed to enquire whether there is any objection to the opening of Calcutta, Madras and Chittagong to the pilgrim traffic so as still further to relieve the great pressure of the traffic in Bombay.

Nos. 817—818, dated the 13th May 1912.

From—The Hon'ble Mr. L. C. PORTER, C.I.E., I.C.S., Secretary to the Government of India, Department of Education,

To—{The Chief Secretary to the Government of Madras.
The Secretary to the Government of Bengal, Municipal (Medical) Department.

In continuation of this Department endorsement No. $\frac{637}{638}$, dated the 24th April 1912, forwarding a copy of a notification regarding the opening of the port of Karachi to pilgrim traffic to the Hedjaz, I am directed to enclose a copy of a letter from the Government of Bombay, No. 1991, dated the 23rd March 1912, and to say that the Government of India will be glad to receive the views of the Government of $\frac{\text{Madras}}{\text{Bombay}}$ on the proposal to throw open the port(s) of $\frac{\text{Madras}}{\text{Calcutta and Chittagong}}$ for the embarkation of pilgrims.

No. 1515, dated the 11th December 1912.

From—The Hon'ble Mr. A. G. CARDEW, C.S.I., I.C.S., Acting Cheif Secretary to the Government of Madras,

To—The Secretary to the Government of India, Department of Education.

I AM directed to reply to the letter from the Department of Education, No. 817 (Sanitary), dated the 13th May 1912, asking for the views of the Government of Madras on the proposal to throw open the port of Madras for the embarkation of the pilgrims to the Hedjaz.

2. His Excellency the Governor is Council has given the matter his careful consideration and has in particular instituted inquiries to ascertain whether the port of Madras, or a port on the west coast of the Presidency, would prove to be a suitable embarking-place for pilgrims. The main difficulty is that neither Madras nor any west-coast port is so situated as to attract a preponderance of the pilgrims from the Presidency. The latter would only serve the west-coast, and Madras would serve neither the west-coast nor the northern districts of this Presidency. Pilgrims from Malabar and South Canara, who form the bulk of the pilgrim population of this Presidency, would, if the port of Madras were thrown open for pilgrim

traffic, naturally prefer the cheaper route *viâ* Bombay, and pilgrims from the northern districts and Hyderabad would find it cheaper to go to Bombay direct instead of to Madras. The number of pilgrims visiting the Hedjaz from the southern districts of the Presidency is so small as to be negligible.

3. The letter of the Government of Bombay of the 29th March 1912 refers to (1) difficulties in connection with the regulation of pilgrim traffic and (2) the excessive rates charged by the steamship companies on account of Bombay being the only port of embarkation. On the first point, I am to observe that the reduction in the numbers who travel *viâ* Bombay, if a Madras port were opened, would be inconsiderable for the reasons mentioned in the foregoing paragraph, and as regards the second point it is argued *per contra* that embarkation from Bombay offers the advantage that owing to competition between the different steamer agencies it is often possible to procure passages at very cheap rates. However this may be, His Excellency in Council considers it doubtful whether the running of pilgrim ships from Madras or elsewhere in this Presidency would affect the Bombay rates or would offer a cheaper route to pilgrims, in view of the comparatively small number proceeding from this Presidency.

4. I am further to state that it has been ascertained that there is no spontaneous demand by the Mussalman community of this Presidency for the opening of a port of embarkation in the Madras Presidency, and His Excellency in Council considers that until such a demand arises there is scarcely a case for altering existing conditions.

No. 92-Sany., dated the 9th January 1913.

From—JAMES DONALD, Esq., I.C.S., Officiating Secretary to the Government of Bengal, Municipal Department,

To—The Secretary to the Government of India, Department of Education.

I AM directed to reply to Mr. Singh's letter No. 818, dated the 13th May 1912, on the subject of a proposal from the Government of Bombay to throw open the ports of Calcutta and Chittagong for the embarkation of pilgrims to the Hedjaz.

2. The port of Calcutta has been entirely closed to pilgrim traffic since the year 1897. In that year by notification No. 625, dated the 20th February 1897, the pilgrimage to the Hedjaz was altogether suspended for the season, and Calcutta has not been re-opened to traffic since that time. By notification No. 2195, dated the 20th November 1897, the port of Chittagong was declared as the only port open to pilgrim traffic from this Province, and it continued to be the port of embarkation till the year 1903. In that year a few pilgrims who had entered the pilgrim camp at Chittagong left it to proceed by the Bombay route which they found to be shorter and cheaper as well as more convenient, and when no other pilgrims arrived at the camp at Chittagong, this port was closed with the approval of the Government of India, in the year 1904,—*vide* Home Department letter No. 514, dated the 7th April 1904. Since that time no representation against the closure of the camp or for the re-opening of either the port of Calcutta or the port of Chittagong has been made.

3. While His Excellency the Governor in Council would not object to Calcutta and Chittagong being re-opened to pilgrim traffic, past experience has shown that Chittagong cannot compete with Bombay in the matter of the pilgrim traffic, while it is unlikely that such traffic as Calcutta had in former times will be likely to return since Bombay is in every way more convenient. When the camp was first opened at Chittagong considerable difficulty was experienced in securing steamers to convey the pilgrims, and as soon as the internal restrictions were removed, the pilgrims abandoned Chittagong and proceeded by Bombay. Even were this port re-opened, pilgrims could never be certain of a ship at Chittagong and the ships could never be certain of securing a full cargo of pilgrims. Although no statistics are available to show the extent of pilgrim traffic that existed before the port of Calcutta was closed, it is understood that it was very small, and it is extremely doubtful whether the trade will ever return to Calcutta now that it has been steadily diverted to the Bombay port where the facilities are so much greater. The opening of the port of Calcutta would entail considerable expenditure on sanitary and medical measures which would be necessary to make the medical examination effective, and His Excellency the Governor in Council is of opinion that the results would not justify such an expenditure. And further the measures which would be necessary to safeguard the health of the city and the port of Calcutta would impose restrictions which would discourage pilgrims from embarking at this port. It is unlikely that the opening of either the port of Calcutta or Chittagong will have the slightest effect in reducing the pressure in Bombay or on the coast of the pilgrim passage and His Excellency the Governor in Council is, therefore, unable to support the proposal.

No. 64, dated the 18th January 1913.

From—The Hon'ble Mr. L. C. PORTER, C.I.E., I.C.S., Secretary to the Government of India, Department of Education,

To—The Secretary to the Government of Bombay, General Department.

WITH reference to your letter No. 1991, dated the 23rd March 1912, on the subject of a proposal made by the Hon'ble Sir Ibrahim Rahimtoola to throw open the ports of Madras, Calcutta and Chittagong for the embarkation of pilgrims to the Hedjaz, I am

directed to forward for the information of the Government of Bombay, copies of letters* from the Governments of Madras and Bengal. The Government of India agree in the opinion expressed therein that the opening of the ports of Madras, Calcutta and Chittagong is likely to have little or no effect on the congestion of pilgrim traffic in Bombay and that the results would not justify the large expenditure involved in the proposal. They trust that the opening of the port of Karachi to such traffic which has been recently sanctioned by them, will afford appreciable relief to the port of Bombay.

*1. Letter from the Government of Madras, No. 1515, dated the 11th December 1912.
2. Letter from the Government of Bengal, No. 92-Sany., dated the 9th January 1913.

No. 729, dated the 2nd May 1913.

From—The Hon'ble Mr. L. C PORTER, C.I.E., I.C.S., Secretary to the Government of India, Department of Education,

To—The Secretary to the Government of Bengal, Municipal Department.

WITH reference to the correspondence ending with your telegram No. 898-Sany., dated the 18th March 1913, I am directed to forward, for the information of the Government of Bengal, an extract from the proceedings of the Imperial Legislative Council of the 20th March 1913 containing the debate on a resolution moved by the Hon'ble Sir Ibrahim Rahimtoola and accepted in an amended form by the Government of India.

2. I am to enquire whether in view of the opinions expressed in the Imperial Council in the course of this debate the Government of Bengal are prepared to modify the views communicated in your letter No. 92-Sany , dated the 9th January 1913.

No. 78-T. San., dated Dacca, the 31st July 1913.

From—The Hon'ble Mr. JAMES DONALD, M A., I.C.S., Officiating Secretary to the Government of Bengal,

To—The Secretary to the Government of India, Department of Education.

I AM directed to acknowledge the receipt of your letter No. 729, dated the 2nd May 1913, on the subject of the opening of the ports of Calcutta and Chittagong for embarkation of pilgrims to the Hedjaz.

2. In reply, I am to say that the Governor in Council has consulted several leading Muhammadan gentlemen of this province on the question and they have expressed themselves as entirely in agreement with the views set forth in my letter No. 92-San., dated the 9th January 1913. In their opinion the assumption which was made by the Hon'ble Sir Ibrahim Rahimtoola in the course of the debate in the Imperial Council that a large number of pilgrims would annually go through the ports of Calcutta and Chittagong if these ports were open to pilgrim traffic would have no justification in actual experience, and they consider that the opening of these ports would afford no appreciable relief to the traffic to Bombay. In view of these facts I am to say that the Governor in Council adheres to the views communicated in my letter referred to.

L. C. PORTER,
Secretary to the Government of India.

ARMY DEPARTMENT.

NOTIFICATIONS.

Simla, the 26th September, 1913.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 797.—On return from leave the services of Captain R. Scott., Indian Army, are placed at the disposal of the Government of the Punjab for employment as a Cantonment Magistrate.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

1st Battalion, North-Western Railway Volunteer Rifles.

No. 817.—Captain Arthur Ernest Pearse, Supernumerary List, resigns his commission. Dated the 3rd July 1913.

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICE.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language who are desirous of obtaining competent teachers :

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2. M. S. C. Bagchi ... ... Government Observatory, Allahabad.

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1. M. Ram Charan Lal ... ... Offg. Sub-Deputy Inspector of Schools, Azamgarh.

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2. M. Ghulam Rasul ... ... Sudder Bazar, Rawalpindi.
3. M. Fazal Ahmed ... ... Persian House, Rawalpindi.

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1. M. Gulzar Lal ... ... South Lancashire Regiment, Subathu.

In addition to the above, the following, who were examined in Urdu previous to the institution of the examination mentioned in the above India Army Order, are also, in the opinion of the Board of Examiners, qualified to teach :

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4. M. Badru-z-Zaman ... ... 9, Ice Factory Lane, Entaly, Calcutta
5. M. Abdul Badi ... ... 5, Ramsanker Roy's Lane, Calcutta.
6. M. A. M. F. Wahhab ... ... Librarian, Calcutta Madrasah, Calcutta.
7. M. Habibun Nabi Khan Saulat ... 89, Jhowtollah Road, Balligunge, Calcutta.
8. M. Akmal Ali Akmal ... ... 9, Dr. Karam Hossain's Lane, Calcutta.
9. M. Abdul Karim Nashter ... ... 1, Jhowtollah Lane, Balligunge, Calcutta.
10. M. Mohd. Yusuf Khan ... ... 15, Karaya Road, Balligunge, Calcutta.

N.B.—It is requested that Munshis who have passed this examination and whose names do not appear above, should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,
Secretary and Member, Board of Examiners.

FROM THE SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 27, 1913.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

TARIFF VALUATION OF SUGAR.

The following statement shows in respect of each of the descriptions of sugar distinguished in the Tariff Schedule IV (excepting molasses and all other kinds of sugar), *firstly*, the total imports into India in the month of August, 1913, and the average value per cwt. as calculated on the returns received from the Customs Houses ; and, *secondly*, a running total showing the total imports into India since the beginning of the year (1st October to 30th September) and the average net value per cwt. so far established It is published in conformity with the procedure laid down in Customs Circular No. V of 1911 in order to enable merchants to compute the probable rate of duty for the year 1914 :—

Description of sugar.	Imported during the month of August 1913. Quantity.	Imported during the month of August 1913. Average net value per cwt.	Imported since 1st October 1912. Quantity.	Imported since 1st October 1912. Average net value per cwt.
	Cwt.	R. A.	Cwt.	R. A.
Sugar crystallised beet	172	12 8	1,513,455	9 12
" and soft, refined in China ...	434	15 12	22,089	11 4
" " " from Java, 23 Dutch Standard and above.	1,318,681	9 4	5,051,451	9 12
" " " from Jawa, 16 to 22 Dutch Standard.	761,665	8 4	2,693,967	9 0
" " " from Java, 15 Dutch Standard and under.	34,997	8 4	103,532	8 8
" " " from Mauritius equal to 16 Dutch Standard and over.	73	12 12	2,545,431	9 8

FREDERICK NOËL-PATON,
Director-General of Commercial Intelligence.

J. F. GRUNING,
Offg. Secretary to the Government of India.

CALCUTTA :
The 23rd September 1913.

Nos. 419-435.

GOVERNMENT OF INDIA.

DEPARTMENT OF EDUCATION.

ARCHÆOLOGY AND EPIGRAPHY.

Simla, the 19th September 1913.

RESOLUTION.

The Government of India have had under their consideration the recommendation of the Conference of Orientalists held at Simla in July 1911 that opportunity should be afforded to Indian students to accompany conservators in order to learn the principles and practice of architecture. They have decided in communication with those local Governments, who have consulting architects, to award three scholarships of the value of Rs. 100 a month to Indians in order to facilitate this training. As there are greater facilities for architectural education, and for a combination of a thorough course of theoretical instruction with practical training, in Bombay than elsewhere in India, they have decided that these scholars should be trained in the office of the Consulting Architect to the Government of Bombay.

2. The conditions of the three architectural scholarships will be as follows :—

(*a*) the scholarships which are open to all natives of India will be of the value of Rs. 100 a month each, the cost of which will be defrayed from Imperial revenues ;

(*b*) the scholarships will be granted for architectural training at the office of the Consulting Architect to the Government of Bombay where the scholars will also attend the architectural classes at the Sir J. J. School of Art. They will be tenable for a period of three years in the first instance, but may be extended to a fourth year on the condition that the scholarships for that year will be given only to those scholars who pass a certain standard to be prescribed hereafter in an examination at the end of the third year's training ;

(*c*) at the close of their training those scholars who appear to possess the necessary aptitude will, so far as possible, be taken into the Archæological Department in order to give them special practical instruction for one or two years on a suitable salary.

3. The following procedure will be observed in the selection of candidates for the scholarships :—

(*a*) each local Government will be asked to nominate as soon as possible a candidate who has taken the **B. A.** or other equivalent degree in an Indian University. These qualifications will only be dispensed with in exceptional cases. The candidate must produce a medical certificate of physical fitness to undergo the proposed courses of study at Bombay ;

(*b*) the Government of India will select three scholars from among the candidates nominated by the local Governments.

4. The candidates to whom the scholarships are awarded will proceed to Bombay and report themselves to the Consulting Architect to the Government of Bombay not later than a certain date to be fixed hereafter. The scholarships will be payable from the dates of the report of their arrival in Bombay.

Order.—Ordered that a copy of this resolution be forwarded to all local Governments and Administrations for information and necessary action at an early date.

Ordered, also, that a copy be forwarded to the Finance / Foreign / Public Works, Department, Director-General of Archæology in India, for information and that the resolution be published in the supplement to the *Gazette of India.*

L. C. PORTER,

Secretary to the Government of India.

Punjab Government Press, Lahore—10-10-13—1819—860.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, OCTOBER 17, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 4, 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

JUDICIAL.

Simla, the 26th September 1913.

No. 1607.—In exercise of the power conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Governor-General in Council is pleased to direct that the following amendment shall be made in the Indian Arms Rules, 1909, namely :—

In Schedule I, clause (4), after the words "Geological Survey", the words "or of the Civil Veterinary Department" shall be inserted.

POLICE.

The 27th September 1913.

No. 1066.—Mr. F. C. Isemonger, officiating Assistant Director of Criminal Intelligence, is appointed to officiate as Personal Assistant to the Director, Criminal Intelligence, in addition to his own duties, with effect from the afternoon of the 15th September 1913, and until further orders.

PUBLIC.

The 1st October 1913.

No. 2013.—It is hereby notified for general information that the undermentioned officers will take rank in the articles of the Warrant of Precedence for India, published with the Home Department notification No. 328, dated the 10th February 1899, which are indicated below in each case :—

(1) Governor of Bengal, in Article 2.

(2) Ordinary Members of the Council of the Governor of Bengal, in Article 13.

(3) Members of the Executive Council of the Lieutenant-Governor of Bihar and Orissa, when within their own jurisdiction, immediately above the officers included in Article 14, and when without their jurisdiction, in Article 15.

(4) Joint Secretaries to the Government of India, in Article 21.

(5) Financial Commissioner, Central Provinces, in Article 26.

(6) Additional Members of the Legislative Council of the Governor of Bengal, in Article 27.

(7) Advocates-General, Madras and Bombay, immediately below Article 30.

(8) Members of the Legislative Council of a Chief Commissioner, in Article 40.

(9) Director of the Indian Institute of Science, in Article 46.

(10) Judicial Commissioner, Chota Nagpur, Chairmen of the Boards of Trustees for the improvement of the cities of Bombay and Calcutta, and President, Rangoon Municipal Committee, within their respective charges, in Article 50.

(11) President, Forest Research Institute and College, Dehra Dun, in Article 54.

(12) Collectors of Customs at Calcutta, Bombay, Madras, Rangoon and Karachi, in Article 66.

(13) Chairman of the Port Trust, Madras, in Article 68.

(14) Electrical Engineer-in-Chief, Telegraph Department, in Article 69.

(15) Registrars of Co-operative Credit Societies under local Governments and Comptroller of Patents, in Article 70.

(16) Principals of Government Colleges, Officers of the Indian Agricultural Service or of the General List of the Indian Finance Department, or of the Public Works Engineer establishment, or of the Superior Revenue establishment of State Railways, or of the Civil Veterinary, Forest, Survey, Mines, Postal, Telegraph, Customs, or Scientific Departments, or officers of the Indian Institute of Science, or Sanitary Engineers, not being Superintending Engineers, or Consulting Architects to local Governments, drawing Rs. 1,250 a month and upwards, officers of the Police Department drawing Rs. 1,200 a month and upwards, Deputy Controllers of Military Accounts, Director of Survey, Madras, Electrical Adviser to the Government of India, Judicial Commissioner, Chota Nagpur, and Secretary to the Bengal Legislative Council and Assistant Secretary to the Government of Bengal in the Legislative Department, in Article 73.

(17) Registrars of Co-operative Credit Societies and Excise Commissioners under local Administrations, in Article 77.

(18) Principals of Government Colleges, Officers of the Indian Educational Service and the graded Educational Service, or of the Indian Agricultural Service, or Sanitary Engineers, or Consulting Architects, or Electrical Inspectors, drawing Rs. 1,000 a month and upwards; and officers of the General List of the Indian Finance Department, or officers of the higher branch of the Military Accounts Department, or of the Public Works Engineer establishment, or of the Superior Revenue establishment of State Railways, or of the Civil Veterinary, Forest, Survey, Police, Mines, Postal, Telegraph, Customs or Scientific Departments, drawing Rs. 900 a month and upwards, Assistant Commissioners, Northern India Salt Revenue, drawing Rs. 800 a month and upwards, Chemical Examiner for Customs and Excise, Collector of Income Tax, Calcutta, Director, Vaccine Institute, Belgaum, First Assistant Superintendent, Port Blair, Legal Assistant in the Legislative Department of the Government of India, officers of the Archæological Department drawing Rs. 800 a month and upwards, officers of the Excise and Salt Departments drawing Rs. 800 a month and upwards, officers of the Provincial Services of not less than 18 years' standing drawing Rs. 600 a month and upwards, Registrar to the Chief Court, Lower Burma, and Secretary to the Board of Revenue in the Department of Revenue Settlement, Survey, Land Records and Agriculture, Madras, when a member of the Provincial Civil Service, in Article 78.

H. WHEELER,

Secretary to the Government of India.

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5.	M. Abdul Badi	... 5, Ramsanker Roy's Lane, Calcutta.
6.	M. A. M. F. Wahhab ...	... Librarian, Calcutta Madrasah, Calcutta.
7.	M. Habibun Nabi Khan Saulat	... 89, Jhowtollah Road, Balligunge, Calcutta.
8.	M. Akmal Ali Akmal ...	... 9, Dr. Karam Hossain's Lane, Calcutta.
9.	M. Abdul Karim Nashter ...	... 1, Jhowtollah Lane, Balligunge, Calcutta.
10.	M. Mohd. Yusuf Khan ...	... 15, Karaya Road, Balligunge, Calcutta.

N.B.—It is requested that Munshis who have passed this examination and whose names do not appear above, should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," OCTOBER 4, 1913.

Nos. 1589—1603.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

JUDICIAL.

Simla, the 25th September 1913.

RESOLUTION.

In exercise of the powers conferred by section 2 of the East India Contracts Act, 1870 (33 and 34 Vict., Cap. 59) and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that the following be substituted for items 1 to 4 of Part E, and for Part J, respectively, of the Resolution of the Government of India in the Home Department, Nos. 713-734 (Judicial), dated the 2nd June 1913, relating to the

execution of deeds, contracts and other instruments on behalf of His Majesty's Secretary of State for India in Council :—

E.—In the case of the Public Works Department (subject to any limits fixed by Departmental orders) :—

1. All instruments relating to purchase, supply and conveyance or carriage of materials, stores, machinery, etc. 2. All instruments relating to the execution of works of all kinds, connected with buildings, bridges, roads, canals, tanks, reservoirs, docks and harbours and embankments, and also instruments relating to the construction of water-works, sewage works, the erection of machinery, and the working of coal-mines. 3. Security bonds for the due performance and completion of works. 4. Security bonds for the due performance of their duties by Government servants whom the officers specified have power to appoint.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Executive Engineers in the Buildings and Roads and Irrigation Branches, the Military Secretary to His Excellency the Viceroy, the Superintendents of the Viceregal Estates and the Assistant Engineer in charge of the Simla Imperial Sub-Division.

J.—In the case of the Forest Department :—

Contracts and other instruments in matters connected with the administration and working of forests and with the business of the Forest Department generally.	By Chief Conservators, Conservators, Collectors of Districts, Deputy, Assistant, Extra Deputy and Extra Assistant Conservators of Forests to such extent and within such limits as the Local Government may prescribe by notification in the Official Gazette.

ORDER.—Ordered that the above Resolution be communicated to the Chief Commissioner of the Central Provinces, to other Local Governments and Administrations, to the Public Works Department and to the Department of Revenue and Agriculture, for information (*with reference to his letter No. $\frac{1402}{V\text{-}1\text{-}5}$, dated the 29th July 1913, †with reference to its office Memo. No. 1290-M., dated the 18th August 1913,) and that it be published in the *Supplement to the Gazette of India*.

*( ) to the Chief Commissioner, Central Provinces, only.
†( ) to the Public Works Department only.

H. WHEELER,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 11, 1913.

MILITARY SECRETARY'S OFFICE.

NOTIFICATION.

Simla, the 9th October 1913.

No. 4227-*M.*—His Excellency the Viceroy and Governor-General will leave Simla by special train from Summer Hill Station at 2-15 P.M. on Tuesday, the 14th October 1913. His Excellency's departure will be private.

A Viceregal salute will be fired as His Excellency leaves Viceregal Lodge.

His Excellency will visit Kapurthala, Bikanir, Hyderabad, Bijapur, Mysore, Bangalore, the Kolar Gold Fields, Mandapam, Madura, Trichinopoly, Tanjore, Madras, Cattack, Gaya, Bankipore and Alwar and arrive at Delhi on the 5th December, his arrival being private.

All covers intended to reach His Excellency the Viceroy and party during the tour should be addressed "Viceroy's Camp" without the addition of any post town.

The party accompanying His Excellency will be—

Her Excellency the Lady Hardinge.

Miss Osborne.

J. B. Wood, Esq., C.I.E., I.C.S., Officiating Foreign Secretary.

Sir James DuBoulay, K.C.I.E., I.C.S., Private Secretary.

Colonel F. Lee, Officiating Military Secretary.

Lieutenant-Colonel F. A. Maxwell, V.C., C.S.I., D.S.O., Military Secretary.

Lieutenant-Colonel Sir James Roberts, Kt., C.I.E., I.M.S., Surgeon.

Captain A. A. Tod, A.-D.-C.

Captain J. J. Astor, A.-D.-C.

Captain R. L. Benson, A.-D.-C.

All communications, *other than those of an urgent nature,* should as usual be addressed to the head-quarters of the several departments at Simla.

By Command,

F. LEE, *Colonel,*

Offg. Military Secretary to the Viceroy.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 8th October 1913.

No. 2426-*Est.-A.*—Mr. J. M. K. Misick, First Assistant to the Deputy Inspector General of Police, Criminal Investigation Department and Railways, Punjab, is placed on special duty under the Government of India, in the Foreign Department, with effect from the 8th September 1913, and until further orders.

J. B. WOOD,

Offg. Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATION.

SEPARATE REVENUE.

OPIUM.

Simla, the 10th October 1913.

No. 1273-*F. E.*—It is hereby notified that—

(1) In the calendar year 1914 not more than 13,200 uncertified chests of Bengal opium will be offered for sale and not more than 1,100 chests in each month of the year.

(2) Of the quantity to be offered for sale in each of the months of January to November 940 chests will be Benares opium and 160 chests, Patna opium, and at the sale in December 941 chests will be Benares opium and 159 chests will be Patna opium.

(3) Government reserves to itself the right to alter the quantity and class of opium to be offered for sale in each month. No reduction in the quantities to be sold, however, will be made without three months' previous notice.

J. B. BRUNYATE,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATIONS.

POST OFFICE.

Simla, the 11th October 1913.

No. 8347-103.—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Governor General in Council is pleased to direct that, with effect from the 1st January 1914, the following amendment shall be made in the rules issued with the notification of the Government of India in the Department of Commerce and Industry, No. 2883-45, dated the 26th April 1913, namely :—

In rule 47 for " Rs. 500 " shall be substituted " Rs. 600 ".

TELEGRAPHS.

The 11th October 1913.

No. 8415-87.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Governor General in Council is pleased to direct that the rules published with the notification of the Government of India in the Department of Commerce and Industry, No. 7571-163, dated the 8th October 1909, as subsequently amended, governing the exchange by radio-telegraph of public correspondence with ships at sea, shall be made applicable to all Indian coast stations now existing and which may be opened in the future for such correspondence.

J. F. GRUNING,

Offg. Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 10th October 1913.

APPOINTMENTS.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 836.—The services of Major W. T. Barry, Indian Army, are placed at the disposal of the Government of the Punjab for employment as a Cantonment Magistrate.

W. R. BIRDWOOD, *Major-General,*

Secretary to the Government of Indio.

FROM THE SUPPLEMENT TO THE GAZETTE OF INDIA, OCTOBER 11, 1913.

No. 8492-8514-4.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

WEIGHTS AND MEASURES.

Simla, the 10th October 1913.

RESOLUTION.

The question of prescribing a uniform system of weights and measures for the whole of India has been under the consideration of Government from time to time since the passing of the Indian Weights and Measures of Capacity Act, 1871 (XXXI of 1871), by section 8 of

which the Governor-General in Council is empowered to introduce a system of weights and measures of capacity consistent with the statutory unit prescribed by section 3. Although the Act has been on the statute book for more than 41 years no notifications have yet been issued under it, as it was hoped that weights and measures based on the statutory unit would be gradually and generally adopted without further intervention on the part of Government. This hope has not, however, been realised. The Indian Railways and the Government Departments have, it is true, adopted as standards the tola of 180 grains, the seer of 80 tolas and the maund of 40 seers; but no general tendency has manifested itself on the part of Indian Commercial Circles to follow the lead given them by Government.

2. The whole question was examined very carefully between the years 1890 and 18.. by the Government of India in consultation with Local Governments and Administrations, and the policy since followed has been to prescribe, as necessity arose, standard weights and measures for particular districts or groups of districts similar to those adopted by the Indian Railways and the Government Departments. Some of the Local Governments have taken action in this direction, but the general state of affairs is at present far from satisfactory, for the systems of weights and measures in use vary considerably, not only in different Provinces, but also in different areas of the same Province. The Government of India are fully alive to the difficulties which beset attempts to impose a uniform system of weights and measures for adoption throughout British India. At the same time they are satisfied that the existing lack of uniformity is seriously prejudicial to trade, and they have reason to believe that the development of railway communications and commerce in this country, the formation of Chambers of Commerce and the advance of municipal and trade organizations have gone far to remove objections formerly felt to the introduction of a single uniform system.

3. The Government of India have, therefore, decided to re-open the question of the feasibility of securing the use of uniform weights and measures in India, and to appoint a Committee to enquire into the whole subject. The Committee will assemble at Bombay on the 10th of November 1913, and will proceed to such places as it may consider desirable to visit in order to obtain the opinion of the Chambers of Commerce and leading merchants and others. The Government of India trust that Local Governments and Administrations will afford the Committee all the assistance which it may require, and will comply with any request for information and advice which may be addressed to them by it. The Committee will submit its report in six months and the report will then be referred to Local Governments and Administrations for consideration before action is taken upon it.

The Committee will consist of—

PRESIDENT:

The Honourable Mr. S. R. Arthur, I.C.S.,
Commissioner, Central Division, Poona.

MEMBERS:

Mr. C. A. Silberrad, I.C.S.,
Magistrate and Collector, United Provinces.

Mr. A. Y. G. Campbell, C.I.E., I.C.S.,
Acting President, Corporation of Madras.

Mr. Rustomji Faridoonji, U.C.S.,
Commissioner of Excise, Central Provinces.

ORDER.—Ordered that a copy of this Resolution be forwarded to all Local Governments and Administrations, to the Home, Finance and Education Departments and the Department of Revenue and Agriculture, and to the President and Members of the Committee.

Ordered, also, that the Resolution be published in the Supplement to the *Gazette of India* for general information.

J. F. GRUNING,
Offg. Secretary to the Government of India.

Punjab Government Press, Lahore—17-10-13—1922—860.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, OCTOBER 24, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 11, 1913.

BOARD OF EXAMINERS.

NOTICE.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language, who are desirous of obtaining competent teachers :

ALLAHABAD.

1. M. Jawala Prasad, I ... ... Kasauli Hills. The Royal Scots Regiment, Sudder Bazar, Allahabad.
2. M. S. C. Bagchi ... ... Government Observatory, Allahabad.

AMBALA.

1. M. Mohd. Miyan Khan ... ... Sudder Bazar, Ambala.
2. M. Mohd. Akbar Khan ... ... The Oriental Lodge, Ambala.
3. M. Jawala Prasad, II ... ... B. I. Bazar, Ambala.

AMRITSAR.

1. M. Mohd. Ishaq ... ... Khazana Gate, Amritsar.

AZAMGARH.

1. M. Ram Charan Lal ... ... Offg. Sub-Deputy Inspector of Schools, Azamgarh.

CALCUTTA.

1. M. Mohd. Gholam Kibriya ... ... 17, Noorallah Doctor's Lane, Calcutta.
2. M. Badruddin Ahmed, B.A. ... ... 8, Maulavi Imdad Ali's Lane, Calcutta.
3. M. Hossain Mirza ... ... 1, Syed Ismail Lane, Calcutta.
4. M. Mohd. Israil Khan ... ... 15, Karaya Road, Balligunge, Calcutta.
5. M. Syed Nawab Ali ... ... 11, Colootola Street, Calcutta.
6. M. Wahidun Nabi Khan ... ... 88/1, Baitakkhana Road, Calcutta.
7. M. Mohd. Abdul Hamid ... ... 152, Harrison Road, Calcutta.
8. M. Daliluddin Ahmed ... ... 28/1, Kimber Street (Karaya), Calcutta.
9. M. Abdul Wajid ... ... 89, Jhowtolla Road, Balligunge, Calcutta.
10. M. Syed Mohammad ... ... 12, Waliullah Lane, Wellesley Square, Calcutta.

CAMPBELLPORE.

1. M. Rahim Shah ... ... R. A. Munshi, Campbellpore.

DALHOUSIE.

1. M. Abdur Rahim ... ... Regimental Munshi, 1st Lancashire Fusiliers, Balun Bazar, Dalhousie.

DELHI.

1. M. Mithan Lal ... ... C/o late M. Chunni Lal Sahib, Government Pensioner, Muhalla Churi Walan, Delhi.

DINAPORE.

1. M. Syed Hadi Hussain ... ... Orderly Bazar, Dinapore.

JHELUM.

1. M. Thakur Das Pahwa ... ... Officers' Munshi, Jhelum.

JULLUNDUR.

1. M. Har Bhagat Singh Bains ... Talhan, Jullundur Cantonment.

KASAULI.

1. M. Anand Sarup ... ... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt Kasauli.

LAHORE CANTT.

1. M. J. Kishori Lal ... ... R. A. Bazar, Lahore Cantt.
2. M. Sham Lal Bhargava ... ... Dangar Street, Sudder Bazar, Lahore Cantt.

LUCKNOW.

1. M. Abdul Alim ... ... Near the Police Post, Husaingunge, Lucknow.
2. M. Mohd. Yaqub Khan ... ... Near Royal Hotel, Lucknow.

MULTAN.

1. M. S. Karim Bakhsh ... ... Sadar Bazar, Multan Cantonment.

MURREE HILLS.

1. M. M. C. Saighal ... ... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

NAINI TAL.

1. M. Faqir Ulla ... ... St. Joseph's College, Naini Tal.

NOWSHERA.

1. M. Muhammad Din ... ... Pay Havildar and Head Clerk, 23rd Peshawar Mountain Battery (F. F.).

PESHAWAR.

1. M. Bodh Raj ... ... Royal Sussex Regiment (or Sudder Bazar), Peshawar.
2. M. Ahmed Din ... ... 81, Cantonments, Peshawar.
3. M. Abdur Rahim ... ... Head Master, Islamia High School, Peshawar.
4. M. Abdul Karim ... ... Dabgari Gate, Peshawar City.

RAWALPINDI.

1. M. Ghulam Muhiuddin ... ... R. A. Brigade Munshi, Rawalpindi.
2. M. Ghulam Rasul ... ... Sudder Bazar, Rawalpindi.
3. M. Fazal Ahmed ... ... Persian House, Rawalpindi.

ROORKEE CITY.

1. M. Fazl-i-Haq ... ... Mahalla Satti, Roorkee City.

SUBATHU.

1. M. Gulzar Lal ... ... South Lancashire Regiment, Subathu.

In addition to the above, the following, who were examined in Urdu previous to the institution of the examination mentioned in the above India Army Order, are also, in the opinion of the Board of Examiners, qualified to teach :

CALCUTTA.

1. M. Mohd. Arif ... ... 12, Harinbari Lane, Calcutta.
2. Maulavi Syed Abu Zafar ... ... 36, European Asylum Lane, Calcutta.
3. M. Reza Ali Wahshat, M.R.A.S. ... 14, Karaya Road, Balligunge, Calcutta.
4. M. Badru-z-Zaman ... ... 9, Ice Factory Lane, Entaly, Calcutta.
5. M. Abdul Badi ... ... 5, Ramsanker Roy's Lane, Calcutta.
6. M. A. M. F. Wahhab ... ... Librarian, Calcutta Madrasah, Calcutta.
7. M. Habibun Nabi Khan Saulat ... 89, Jhowtollah Road, Balligunge, Calcutta.
8. M. Akmal Ali Akmal ... ... 9, Dr. Karam Hossain's Lane, Calcutta.
9. M. Abdul Karim Nashter ... ... 1, Jhowtollah Lane, Balligunge, Calcutta.
10. M. Mohd. Yusuf Khan ... ... 15, Karaya Road, Balligunge, Calcutta.

N.B.—It is requested that Munshis who have passed this examination and whose names do not appear above should communicate their present addresses to the Secretary, Board of Examiners, Calcutta, so that their names may be published also.

C. L. PEART, CAPT.,
Secretary and Member, Board of Examiners.

Punjab Government Press, Lahore—24-10-13—2002—860.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, OCTOBER 31, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA", OCTOBER 18, 1913.

ARMY DEPARTMENT.

Simla, the 17th October 1913.

APPOINTMENTS.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 856.—On return from leave, the services of Lieutenant-Colonel R. R. Vaughan, Indian Army, are placed at the disposal of the Government of the Punjab for employment as a Cantonment Magistrate.

CANTONMENTS.

REGULATIONS.

No. 870.—In exercise of the powers conferred by section 23 of the Cantonments Act, 1910 (XV of 1910), the Governor General in Council is pleased to extend to the Cantonment of Kasauli the provisions of sections 188 (1) (*s*) and 199 (1) of the Punjab Municipal Act, 1911 (Punjab Act III of 1911), in the adapted form set forth below :—

1. The Cantonment Committee may, by bye-law, provide for the registration of all or any specified classes of dogs and in particular and without prejudice to the generality of the foregoing—

Power to make bye-laws.

(*i*) provide for the imposition of an annual fee for such registration,

(*ii*) require that every registered dog shall wear a collar to which shall be attached a metal token to be issued by the Cantonment Committee,

(*iii*) provide that any dog, not registered and wearing such token, may, if found in any public place, be detained at a place to be set apart for the purpose, and will be liable to be destroyed or otherwise disposed of after a period to be specified in the bye-law.

2. In making any bye-law under the foregoing rule, the Cantonment Committee may direct that a breach or an abetment of a breach of it, shall be punishable with fine which may extend to fifty rupees, and when the breach is a continuing breach with a further fine which may extend to five rupees for every day after the first during which the breach continues.

Penalty for infringement of bye-law.

W. R. BIRDWOOD, *Major-General*,

Secretary to the Government of India.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

NOTIFICATION.

Simla, the 17th October 1913.

No. 285.—It is hereby notified, for general information, that His Majesty's Secretary of State for India has sanctioned the construction by the agency of the Delhi-Umballa-Kalka Railway Company of a line of railway on the 5′ 6″ gauge from Jind station on the Southern Punjab Railway to Panipat station on the Delhi-Umballa-Kalka Railway, a distance of 43·61 miles.

The project will be known as the Jind-Panipat Railway.

T. RYAN,

Offg. Secretary, Railway Board.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," OCTOBER 18, 1913.

No. 29-40-8.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

AGRICULTURE.

Simla, the 13th October 1913.

RESOLUTION.

The following Rules and Regulations which have been prescribed for carrying out the provisions of the United States Plant Quarantine Act of 20th August 1912, as amended by the Act of March 4th, 1913, are published for general information in supersession of the rules published with the Revenue and Agriculture Department's Resolution No. 17—40—3, dated the 1st April 1913.

RULES AND REGULATIONS FOR CARRYING OUT THE PLANT QUARANTINE ACT.

RULES AND REGULATIONS.

Regulation 1. *Short Title of the Act.*

The Act "To regulate the importation of nursery stock and other plants and plant products; to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes," approved August 20, 1912 (37 Stat., 315), as amended March 4, 1913, shall be known and referred to as "The Plant Quarantine Act."

Regulation 2. *Definitions.*

For the purpose of this Act the term "nursery stock" includes all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits, and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants and other herbaceous plants, bulbs, and roots.

The following classes of plants are included in nursery stock as defined above: Fruit trees, fruit-tree stocks, nut trees, grapevines, bush fruits, roses, rose stocks, forest and ornamental trees and shrubs (both deciduous and ever-green), field-grown florists' stock, cuttings, scions, or seedlings, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation not otherwise listed, except as noted above.

All woody plants and parts thereof for propagation or planting are included within the term "nursery stock" as used in this Act.

"Field-grown florists' stock" is all florists' stock which is usually grown outside of greenhouses for all or part of the year.

"Herbaceous plants" are plants which perish annually down to (sometimes including) the root; that is, soft, succulent plants.

Regulation 3. Applications for Permits for Importation of Nursery Stock.

Persons contemplating the importation of nursery stock shall first make application to the Federal Horticultural Board for a permit stating in the application the name and address of the exporter, the country and locality where grown, the port of entry, and the name and address of the importer in the United States to whom the permit should be sent.

Applications for permits should be made in advance of the shipment of the nursery stock, but if, through no fault of the importer, stock should arrive before the issue of a permit the stock will be held in customs custody at the risk and expense of the importer for a period not exceeding 20 days pending the issue of a permit.

Applications may be made by telegraph, in which case the information required above must be given.

The port of entry is the port where the stock is cleared from customs and the duty paid, and is therefore not necessarily the port of arrival.

Seeds and plants not included in " nursery stock, " as defined in regulation 2 and not under specific quarantine, may be imported without permit or compliance with other provisions of the Plant Quarantine Act.

Permits are not required for nursery stock entering the United States for immediate transportation in bond to foreign countries.

Permits for nursery stock entering the United States for immediate transportation to interior points in bond are required only at port of entry.

Two forms of application are provided : (1) for importation of nursery stock from countries which maintain nursery stock inspection in accordance with regulations 6 and 7 ; and (2) for importation from countries which do not maintain nursery stock inspection in accordance with regulations 6 and 7.

APPLICATION FOR PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH MAINTAIN NURSERY STOCK INSPECTION.

191 .

To the Federal Horticultural Board, Washington, D. C.

SIRS. A permit is requested for the importation of nursery stock, including the following pines : ______________________________

(Scientific names to given.)

____

during the period ______________, 191 , to June 30, 191 .

from ______________________________

(Name and address of exporter.

grown in the country of ______________, locality of ______________

Port of entry ______________________________

Name and address of person (either applicant or his agent or broker) to whom permit should be mailed ______________________________

____

Very respectfully,

____

(Name of applicant.)

____

(Address.)

No statement of quantity to be imported need be made in the application.

Except as to pines, a statement as to the nature of nursery stock to be imported is not required in the application ; but full information must be given in the notices required by regulation 8.

In the case of pines the scientific names must be given in the application. The importation of all five leafed pines is strictly prohibited from each and every country of Europe and Asia. (See Quarantine No. 7, May 21, 1913.)

APPLICATION FOR PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH DO NOT MAINTAIN NURSERY STOCK INSPECTION.

191 .

To the Federal Horticultural Board, Washington, D. C.

SIRS : A permit is requested for the importation, for experimental purposes, of the nursery stock described below, during the period 191 , to June 30, 191 :

Quantity.	Exact designation of plants to be imported.

Name and address of exporter

Country where grown

Locality where grown

Port of entry

Name and address of person (either applicant or his agent or broker) to whom permit should be mailed

Very respectfully,

(Name of applicant.)

(Address.)

Regulation 4. Delivery in Bond.

If the required permit be not at hand at the time of the arrival at port of entry of the nursery stock, such stock may be delivered to the importer, consignee, or agent for the proper care thereof upon the filing of a voluntary bond with approved suretes in double the invoice value of the property (the amount of the bond in no case to be less than $20), conditioned upon the redelivery thereof to the collector within 20 days from the date of arrival, and providing that the same shall not be removed from the port of entry within such period or until the presentation of the proper permit; or, if the importer, consignee, or agent shall so elect, the goods may be retained in customs custody pending the issuance of the permit, wholly at the risk and expense of the importer.

Regulation 5. Permits for entry of Nursery Stock.

On approval by the Secretary of Agriculture of an application for the importation of nursery stock from countries, which maintain nursery stock inspection a permit will be issued in triplicate. One copy of the permit will be furnished to the applicant to be retained by him for presentation, on the arrival of the imported stock, to the customs officer at the port of entry named in the permit; one copy will be mailed to the collector at the port of entry; and the third filed with the application. The beginning of the period for which a permit will be valid will be expressed in the permit. All permits will expire on the 30th day of June next after they become valid.

Permits may be cancelled, and further permits refused, for the importation of the products of any grower or exporter who has knowingly shipped into the United States any nursery stock, or other plants or plant products, the importation of which is forbidden by the Secretary of Agriculture under the authority conferred by section 7 of the plant quarantine act.

Permits for the entry of nursery stock from countries which maintain nursery stock inspection will be addressed to the collector of customs at the port of entry in the following form :—

UNITED STATES DEPARTMENT OF AGRICULTURE FEDERAL HORTICULTURAL BOARD, WASHINGTON, D.C.

PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH MAINTAIN NURSERY STOCK INSPECTION.

Valid ...., 191 , to June 30, 191 .

............, 191

To the Collector of Customs, ...

You are hereby authorised, so far as the jurisdiction of the Department of Agriculture is concerned, to permit the entry under the plant quarantine act, approved August 20, 1912, of any nursery stock the origin and destination of which is specified below, except five-leafed pines from any country of Europe or Asia, provided the invoice of each shipment is accompanied by an original certificate of inspection issued by a duly authorised official of the country from which the shipment is made, and each container bears a copy of this certificate of inspection, and, further, that each container is marked in conformity with said act and the regulations thereunder.

Name and address of exporter ....

Country and locality where grown ....

Name and address of importer ....

....

Respectfully,

D. F. HOUSTON,

Secretary of Agriculture.

Countersigned :

....

Chairman of board.

....

Permit clerk.

Permits for the entry of nursery stock from countries which do not maintain nursery stock inspection will be addressed to the collector of customs at the port of entry in the following form :—

UNITED STATES DEPARTMENT OF AGRICULTURE FEDERAL HORTICULTURAL BOARD, WASHINGTON, D.C.

PERMIT TO IMPORT NURSERY STOCK FROM COUNTRIES WHICH DO NOT MAINTAIN NURSERY STOCK INSPECTION.

Valid ...., 191 , to June 30, 191 , ..., 191 .

To the Collector of Customs, ...

You are hereby authorized, so far as the jurisdiction of the Department of Agriculture is concerned, to permit the entry under the plant quarantine act, approved August 20, 1912, of the nursery stock described herein only upon receipt of notice in writing from an inspector of the Department of Agriculture that such nursery stock has been inspected by him or under his direction and found or believed to be free from plant diseases and insect pests: *Provided*, That such nursery stock, when found to be infested, may be delivered to the importer or consignee in bond for treatment in accordance with regulation 6 under said act.

Quantity.	Exact designation of plants to be imported.

Name and address of exporter ....

Country and locality where grown ....

Name and address of importer ....

Respectfully.

D. F. HOUSTON,

Secretary of Agriculture.

Countersigned :

....

Chairman of board

....

Permit clerk.

Regulation 6. Entry of Nursery Stock.

Entry of nursery stock from countries which maintain nursery stock inspection will not be allowed unless the invoice is accompanied by an original certificate, and unless each container bears a copy certificate, issued by a duly authorized official of the country from which it is exported, stating that the nursery stock covered by the certificate has been thoroughly inspected by him or under his direction and found, or is believed to be free from injurious plant diseases and insect pests. Nursery stock exported between October 1 and May 31 shall be inspected on or after the 1st of October, and stock exported between June 1 and September 30 shall be inspected at the time of packing.

Nursery stock from countries which do not maintain nursery stock inspection will be admitted into the United States only for experimental purposes and in limited quantities under special permit through ports designated therein. (See regulation 5.) Such nursery stock shall not be delivered to the importer or consignee until it has been examined by an inspector of the Department of Agriculture and found to be free from plant diseases and insect pests: *Provided however*, That nursery stock which, in the judgment of the Federal Horticultural Board, can be cleaned by disinfection or other treatment may be delivered to the importer, consignee, or agent for the proper care and treatment thereof upon the filing of a voluntary bond, with approved sureties in double the invoice value of the property (the amount of the bond in no case to be less than $20 nor less than $1 per plant in case of date palms and date-palm offshoots), conditioned upon the redelivery thereof to the collector of

customs within 40 days from date of arrival, and providing that the same shall not be removed from the port of entry until a written notice is given to the collector of customs by the inspector of Department of Agriculture that the nursery stock in question has been properly treated. Nursery stock inspected, as provided herein, which is found to be carrying any plant disease or insect pest, and which, in the judgment of the Federal Horticultural Board, cannot be cleaned by disinfection or treatment, shall be refused entry. All charges for storage, cartage and labor incident to inspection, other than the services of inspectors, shall be paid by the importer.

If a package of nursery stock offered for entry includes any prohibited article, the entire package will be refused entry.

Each case, box, or other container or covering of nursery stock offered for entry shall be plainly and correctly marked to show the number of permit, the general nature and quantity of the contents, the district or locality and country where grown, the name and address of the exporter, and the name and address of the consignee.

Regulation 7. Foreign Certificate of Inspection.

Each certificate and copy certificate shall give the date of inspection ; name of the grower or exporter ; the district or locality and the country where grown ; a statement that the stock has been inspected by a duly authorized official and found, or believed to be, free from insect pests and plant diseases. The original certificate shall be signed and sealed by, and the copy certificate shall bear the seal of, the responsible inspection official for the country of origin.

Lists of officials in foregin countries authorized to inspect nursery stock, giving their names and official designations, will be furnished to collectors of customs through the Secretary of the Treasury.

Ragulation 8. Notice of Shipment by Permittee.

Immediately upon the entry and before removal from the port of entry of nursery stock, for each separate shipment or consignment thereof, the permittee shall notify the Secretary of Agriculture through the collector of customs where entry is made on forms provided for that purpose, stating the number of permit, the general nature and quantity of the nursery stock, the country and locality where grown, the date of entry, and the name and address of the consignee to whom it is proposed to forward the nursery stock, together with the probable date of delivery for transportation.

At the same time a copy of the notice to the Secretary of Agriculture shall be sent by the permittee to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock is to be shipped. Lists of such inspectors and officers may be obtained on application to the collector of customs or the Federal Horticultural Board, Washington, D. C.

Permits may be cancelled and further permits refused if a permittee fails to give either of said notices, or gives a false notice, or knowingly mislables any nursery stock with intent to evade any provision of the plant quarantine act or of any regulation thereunder.

Should a consignee named in such a notice ship or deliver for shipment to any other State, Territory, or District such nursery stock before it has been inspected by a duly authorized State, Territorial, or District inspector or officer, he shall prior to such shipment give like notice to the Secretary of Agriculture and to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock is to be reshipped.

Imported nursery stock which has been once inspected will be allowed to move interstate without restrictions other than those imposed on the interstate movement of domestic nursery stock.

Regulation 9. Hearings.

When the Secretary of Agriculture contemplates the restriction of the importation of plants and plant products not included within the term "nursery stock" as used in the plant quarantine act, or the prohibition of the importation of nursery stock and other plants and plant products from any foreign country, or the prohibition or restriction of the shipment of nursery stock and other plants and plant products from one State, Territory, or District of the United States to another State, Territory, or District, he will give a public hearing to interested parties, who

may appear either in person or by attorney and give evidence or be heard respecting the subject of the hearing. Due notice of the hearing will be given by publication or otherwise, as may be deemed appropriate. Notices will contain a statement of the action which is contemplated and the time and place of the hearing.

The above rules and regulations are hereby adopted and shall be effective on and after July 1, 1913.

D. F. HOUSTON,

Secretary of Agriculture.

WASHINGTON, D. C. *May 21, 1913.*

THE PLANT QUARANTINE ACT, AUGUST 20, 1912, AS AMENDED MARCH 4, 1913.

AN ACT TO REGULATE THE IMPORTATION OF NURSERY STOCK AND OTHER PLANTS AND PLANT PRODUCTS; TO ENABLE THE SECRETARY OF AGRICULTURE TO ESTABLISH AND MAINTAIN QUARANTINE DISTRICTS FOR PLANT DISEASES AND INSECT PESTS; TO PERMIT AND REGULATE THE MOVEMENT OF FRUITS, PLANTS, AND VEGETABLES THEREFROM, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any person to import or offer for entry into the United States any nursery stock unless and until a permit shall have been issued therefor by the Secretary of Agriculture, under such conditions and regulations as the said Secretary of Agriculture may prescribe, and unless such nursery stock shall be accompanied by a certificate of inspection, in manner and form as required by the Secretary of Agriculture, of the proper official of the country from which the importation is made, to the effect that the stock has been thoroughly inspected and is believed to be free from injurious plant diseases and insect pests: *Provided,* That the Secretary of Agriculture shall issue the permit for any particular importation of nursery stock when the conditions and regulations as prescribed in this act shall have been complied with: *Provided further,* That nursery stock may be imported for experimental or scientific purposes by the Department of Agriculture upon such conditions under such regulations as the said Secretary of Agriculture may prescribe: *And provided further,* That nursery stock imported from countries where no official system of inspection for such stock is maintained may be admitted upon such conditions and under such regulations as the Secretary of Agriculture may prescribe.

Section 2. That it shall be the duty of the Secretary of the Treasury promptly to notify the Secretary of Agriculture of the arrival of any nursery stock at port of entry; that the person receiving such stock at port of entry shall, immediately upon entry and before such stock is delivered for shipment or removed from the port of entry, advise the Secretary of Agriculture or, at his direction, the proper State, Territorial, or District official of the State or Territory or the District to which such nursery stock is destined, or both, as the Secretary of Agriculture may elect, of the name and address of the consignee, the nature and quantity of the stock it is proposed to ship, and the country and locality where the same was grown. That no person shall ship or offer for shipment from one State or Territory or District of the United States into any other State or Territory or District, any nursery stock imported into the United States without notifying the Secretary of Agriculture or, at his direction, the proper State, Territorial, or District official of the State or Territory or District to which such nursery stock is destined, or both, as the Secretary of Agriculture may elect, immediately upon the delivery of the said stock for shipment, of the name and address of the consignee, of the nature and quantity of stock it is proposed to ship, and the country and locality where the same was grown, unless and until such imported stock has been inspected by the proper official of a State, Territory, or District of the United States.

Section 3. That no person shall import or offer for entry into the United States any nursery stock unless the case, box, package, crate, bale, or bundle thereof shall be plainly and correctly marked to show the general nature and quantity of the contents, the country and locality where the same was grown, the name and address of the shipper, owner, or person shipping or forwarding the same, and the name and address of the consignee.

Section 4. That no person shall ship or deliver for shipment from one State or Territory or District of the United States into any other State or Territory or District any such imported nursery stock the case, box, package, crate, bale, or bundle whereof is not plainly marked so as to show the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where such stock was grown, unless and until such imported stock has been inspected by the proper official of a State, Territory, or District of the United States.

Section 5. That whenever the Secretary of Agriculture shall determine that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds, or other plant products not included by the term "nursery stock" as defined in section six of this act may result in the entry into the United States or any of its Territories or Districts of injurious plant diseases or insect pests, he shall promulgate his determination, specifying the class of plants and plant products the importation of which shall be restricted and the country and locality where they are grown, and thereafter, and until such promulgation is withdrawn, such plants and plant products imported or offered for import into the United States or any of its Territories or Districts shall be subject to all the provisions of the foregoing sections of this act : *Provided*, That before the Secretary of Agriculture shall promulgate his determination that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds or other plant products not included by the term "nursery stock" as defined in section six of this act may result in the entry into the United States or any of its Territories or Districts of injurious plant diseases or insect pests he shall, after due notice give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney.

Section 6. That for the purpose of this act the term "nursery stock" shall include all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetables, and flower seeds, bedding plants and other herbaceous plants, bulbs, and roots.

Section 7. That whenever, in order to prevent the introduction into the United States of any tree, plant or fruit disease or of any injurious insect, new to or not theretofore widely prevalent or distributed within and throughout the United States, the Secretary of Agriculture shall determine that it is necessary to forbid the importation into the United States of any class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products from a country or locality where such disease or insect infestation exists, he shall promulgate such determination, specifying the country and locality and the class or nursery stock or other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products which, in his opinion, should be excluded. Following the promulgation of such determination by the Secretary of Agriculture, and until the withdrawal of the said promulgation by him, the importation of the class of nursery stock or of other class of plants, fruits vegetables, roots, bulbs, seeds, or other plant products specified in the said promulgation from the country and locality therein named, regardless of the use for which the same is intended, is hereby prohibited; and until the withdrawal of the said promulgation by the Secretary of Agriculture, and notwithstanding that such class of nursery stock, or other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products be accompanied by a certificate of inspection from the country of importation, no person shall import or offer for entry into the United States from any country or locality specified in such promulgation, any of the class of nursery stock or of other class of plants, fruits, vegetables, roots, bulbs, seeds or other plants products named therein, regardless of the use for which the same is intended : *Provided*, That before the Secretary of Agriculture shall promulgate his determination that it is necessary to forbid the importation into the United States of the articles named in this section he shall, after due notice to interested parties, give a public hearing under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney: *Provided further*, That the quarantine provisions of this section, as applying to the white-pine blister rust, potato wart, and the Mediterranean fruit fly, shall become and be effective upon the passage of this act: *Providvd further*, That hereafter any class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products of which the importation may by forbidden from any country or locality under the provisions of section seven of the Plant Quarantine Act approved August twentieth, nineteen hundred and twelve (Thirty-seventh Statutes page three hundred and fifteen), may be imported for experimental or scientific purposes by the Department of Agriculture upon such conditions and under such regulations as the said Secretary of Agriculture may prescribe.

Section 8. That the Secretary of Agriculture is authorized and directed to quarantine any State, Territory, or District of the United States, or any portion thereof when he shall determine the fact that a dangerous plant disease or insect infestation, new to or not theretofore widely prevalent or distributed within and throughout the United States, exists in such State or Territory or District; and the Secretary of Agriculture is directed to give notice of the establishment of such quarantine to common carriers doing business in or through such quarantined area, and shall publish in such newspapers in the quarantined area as he shall select notice of the establishment of quarantine. That no person shall ship or offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or

transport from any quarantined State or Territory or District of the United States, or from any quarantined portion thereof, into or through any other State or Territory or District any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products specified in the notice of quarantine except as hereinafter provided. That it shall be unlawful to move or allow to be moved any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds or other plant products specified in the notice of quarantine hereinbefore provided, and regardless of the use for which the same is intended, from any quarantined State or Territory or District of the United States, or quarantined portion thereof, into or through any other State or Territory or District, in manner or method or under conditions other than those prescribed by the Secretary of Agriculture. That it shall be the duty of the Secretary of Agriculture to make and promulgate rules and regulations which shall permit and govern the inspection, disinfection, certification, and method and manner of delivery and shipment of the class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products specified in the notice of quarantine hereinbefore provided, and regardless of the use for which the same is intended, from a quarantined State or Territory or District of the United States, or quarantined portion thereof, into or through any other State or Territory or District; and the Secretary of Agriculture shall give notice of such rules and regulations as hereinbefore provided in this section for the notice of the establishment of quarantine: *Provided*, That before the Secretary of Agriculture shall promulgate his determination that it is necessary to quarantine any State, Territory, or District of the United States, or portion thereof, under the authority given in this section, he shall, after due notice to interested parties, give a public hearing under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney.

Section 9. That the Secretary of Agriculture shall make and promulgate such rules and regulations as may be necessary for carrying out the purposes of this act.

Section 10. That any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court: *Provided*, That no common carrier shall be deemed to have violated the provisions of any of the foregoing sections of this Act on proof that such carrier did not knowingly receive for transportation or transport nursery stock or other plants or plant products as such from one State, Territory, or District of the United States into or through any other State, Territory, or District; and it shall be the duty of the United States attorneys diligently to prosecute any violations of this act which are brought to their attention by the Secretary of Agriculture or which come to their notice by other means.

Section 11. That the word "person" as used in this act shall be construed to import both the plural and the singular, as the case demands, and shall include corporations, companies, societies, and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any officer, agent, or other person acting for or employed by any corporation, company, society, or association, within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such corporation, company, society, or association as well as that of the person.

Section 12. That for the purpose of carrying out the provisions of this act there shall be appointed by the Secretary of Agriculture from existing bureaus and offices in the Department of Agriculture, including the Bureau of Entomology, the Bureau of Plant Industry, and the Forest Service, a Federal Horticultural Board consisting of five members, of whom not more than two shall be appointed from any one bureau or office, and who shall serve without additional compensation.

Section 13. That there is hereby appropriated, out of the moneys in the Treasury not otherwise appropriated, to be expended as the Secretary of Agriculture may direct, for the purposes and objects of this act, the sum of twenty-five thousand dollars.

Section 14. That this act shall become and be effective from and after the first day of October, nineteen hundred and twelve, except as herein otherwise provided.

State Inspection officials.

ALABAMA: State Horticulturist, Alabama Polytechnic Institute, Auburn, Ala.

ALASKA: Special Agent in Charge, Alaska Agricultural Experiment Station, Sitka, Alaska.

ARIZONA: State Entomologist, Phœnix, Ariz.

ARKANSAS: State Inspector, Fayetteville, Ark.

CALIFORNIA: Horticultural Quarantine Officer, Room, 11, Ferry Building, San Francisco, Cal.

COLORADO: Entomologist, Colorado Agricultural Experiment Station, Fort Collins, Colo.

CONNEECTICUT: State Entomologist, New Haven, Conn.

DELAWARE: Secretary State Board of Agriculture, Dover, Del.

DISTRICT OF COLUMBIA: U. S. Department of Agriculture, Bureau of Entomology.

FLORIDA: Inspector of Nursery Stock, Florida Agricultural Experiment Station, Gainesville, Fla.

GEORGIA: State Entomologist, Atlanta, Ga.

GUAM: Special Agent in Charge, Guam Agricultural Experiment Station, Island of Guam (*viâ* San Francisco).

HAWAII: Entomologist, Board of Commissioners of Agriculture and Forestry, Honolulu, Hawaii.

IDAHO: State Horticultural Inspector, Boise, Idaho.

ILLINOIS: Chief Inspector, Office State Entomologist, Urbana, Ill.

INDIANA: State Entomologist, Indianapolis, Ind.

IOWA: State Entomologist, Iowa State College, Ames, Iowa.

KANSAS NORTH: Entomologist, Kansas Agricultural Experiment Station, Manhattan Kans.

KANSAS SOUTH: Entomologist, University of Kansas, Lawrence, Kans.

KENTUCKY: State Entomologis', Kentucky Agricultural Experiment Station, Lexington Ky.

LOUSIANA: Entomologist, State Board of Agriculture and Immigration, Baton Rouge La.

MAINE: State Horticulturist, Augusta, Me.

MARYLAND: State Entomologist, College Park, Md.

MASSACHUSETTS: State Nursery Inspector, Amherst, Mass.

MICHIGAN: State Inspector of Nurseries, East Lansing, Mich.

MINNESOTA: State Entomologist, St. Anthony Park, Minn.

MISSISSIPPI: Entomologist, Agricultural College, Miss.

MISSOURI: Entomologist, University of Missouri, Columbia, Mo.

MONTANA: Montana State Board of Horticulture, Missoula, Mont.

NEBRASKA: State Entomologist, University of Nebraska, Lincoln, Nebr.

NEVADA: Entomologist, Nevada Agricultural Experiment Station, Reno, Nev.

NEW HAMPSHIRE: Secretary, State Board of Agriculture, Concord, N. H.

NEW JERSEY: State Entomologist, New Brunswick, N. J.

NEW MEXICO: Horticulturist, New Mexico Agricultural Experiment Station, State College, N. Mex.

NEW YORK: Commissioner of Agriculture, Albany, N. Y.

NORTH CAROLINA: State Entomologist, State Department of Agriculture, Raleigh, N. C.

NORTH DAKOTA: Director, North Dakota Agricultural Experiment Station, Agricultural College, N. Dak.

OHIO: Chief Inspector, Ohio Department of Agriculture, Columbus, Ohio.

OKLAHOMA: Secretary, State Board of Agriculture, Oklahoma City Okla.

OREGON: Secretary, State Board of Horticulture, Portland, Oreg.

PENNSYLVANIA: Chief Nursery Inspector, Harrisburg, Pa.

PORTO RICO: Entomologist, Board of Commissioners of Agriculture, San Juan, P. R.

RHODE ISLAND: State Nursery Inspector, Kingston, R. I.

SOUTH CAROLINA: State Entomologist, Clemson College, S. C.

SOUTH DAKOTA: Entomologist, State College of Agriculture, Brookings, S. Dak.

TENNESSEE: State Entomologist, Knoxville, Tenn.

TEXAS: Chief Inspector of Nurseries, Houston, Tex.

UTAH: State Horticultural Inspector, Salt Lake City, Utah

VERMONT: State Nursery Inspector, Burlington, Vt.

VIRGINIA: State Entomologist, Blacksburg, Va.

WASHINGTON: Commissioner of Horticulture, Tacoma, Wash.

WEST VIRGINIA: State Entomologist, West Virginia Agricultural Experiment Station, Morgantown, W. Va.

WISCONSIN: Entomologist and Chief Nursery Inspector, College of Agriculture, Medison Wis.

WYOMING: Secretary, State Board of Horticulture, Laramie Wyo.

Ordered that the information be published in the Supplement to the *Gazette of India* for general information and that copies of the Resolution be forwarded to all Local Governments and Administrations and to the Foreign and Commerce and Industry Departments for information.

E. D. MACLAGAN,
Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 25, 1913.

HOME DEPARTMENT.

NOTIFICATION.

Simla, the 20th October 1913.

JUDICIAL.

The 20th October 1913.

No. 1801.—In exercise of the power conferred by section 527, sub-section (*1*), of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor General in Council is pleased to direct the transfer of the criminal case, All India Banking and Insurance Company Limited, *versus* Rajani Benode Chakrabatti, Jogesh Chandra Guha, and Mahendra Lal Guha, accused, under sections 409, 420, 467 and 477 of the Indian Penal Code, from the Court of the Additional District Magistrate of Lahore in the Punjab to that of the District Magistrate of Chittagong in Bengal.

H. WHEELER,
Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATIONS.

PAY, ALLOWANCES AND FINANCE OFFICERS.

No. 1186-F.E.

Simla, the 6th October 1913.

RESOLUTION—By the Government of India, Finance Department.

The Government of India have decided to substitute the following for the first sentence of Rule IX of the Rules for the examination of candidates in India for admission

to the General List of the Indian Finance Department as promulgated by the Resolution this Department No. 281-F.E., dated the 17th January 1911:—

"The age of a candidate on the first day of the month in which the examination is held must not be less than twenty-two and not more than twenty-five years."

The minimum age-limit thus laid down will not apply to the examination to be held in 1913.

Ordered that the Resolution be forwarded to the Departments of the Government of India; to the several Local Governments and Administrations with the request that it may be communicated to Directors of Public Instruction and all heads of Colleges and Schools in their respective provinces; to the Comptroller and Auditor General; and to all Accountants General and Comptrollers.

Ordered also that the Resolution be published in the *Gazette of India.*

LEAVE AND APPOINTMENTS.

The 20th October 1913.

No. 1332-*F.E.*—The following promotions in the Indian Finance Department, *vice* the Honourable Mr. W. H. Michael I.C.S., are notified with effect from the 1st October 1913:—

* * * * * *

Mr. E. Burdon, I.C.S., is confirmed in Class II of the General List.

ACCOUNTS AND FINANCE.

PUBLIC DEBT.

The 21st October 1913.

No. 2026-*A.*—In exercise of the power conferred by section 7, sub-section *(1)*, of the Indian Securities Act, 1886 (XIII of 1886), the Governor General in Council is pleased to declare that the sub-section shall apply to the office of the Archdeacon of Lahore.

J. B. BRUNYATE,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 24th October 1913.

FURLOUGH AND LEAVE.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 874.—Captain J. V. M. Biscoe, Indian Army, is granted combined leave out of India for one year, two months and thirteen days being privilege leave, and the remainder furlough under the military leave rules of 1886 for the Indian Army; with effect from the 16th October 1913, or subsequent date of availing.

(Pension service – 14th year commenced 24th July 1913).

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

1st Punjab Volunteer Rifles.

No. 887.—Sir Louis William Dane, G.C.I.E., C.S.I., resigns his appointment as Honorary Colonel of the Corps. Dated the 1st June 1913.

The Hon'ble Sir Michael Francis O'Dwyer, K.C.S.I., Lieutenant-Governor of the Punjab, to be Honorary Colonel of the Corps, *vice* Sir Louis William Dane, G.C.I.E., C.S.I., resigned. Dated the 1st June 1913.

W. R. BIRDWOOD, *Major-General,*

Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICE.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language, who are desirous of obtaining competent teachers :—

* * * * * * *

AMBALA.

1. M. Mohd. Miyan Khan ... ... Sudder Bazar, Ambala.
2. M. Mohd. Akbar Khan ... ... The Oriental Lodge, Ambala.
3. M. Jawala Prasad, II ... ... B. I. Bazar, Ambala.

AMRITSAR.

1. M. Mohd. Ishaq ... ... Khazana Gate, Amritsar.

* * * * * * *

DALHOUSIE.

1. M. Abdur Rahim ... ... Regimental Munshi, 1st Lancashire Fusiliers, Balun Bazar, Dalhousie.

DELHI.

1. M. Mithan Lal ... ... C/o late M. Chunni Lal Sahib, Government Pensioner Muhalla Churi Walan, Delhi.

* * * * * * *

JHELUM.

1. M. Thakur Das Pahwa ... ... Officers' Munshi, Jhelum.

JULLUNDUR.

1. M. Har Bhagat Singh Bains ... Talhan, Jullundur Cantonment.

KASAULI.

1. M. Anand Sarup ... ... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt, Kasauli.

LAHORE CANTT.

1. M. J. Kishori Lal ... ... R. A. Bazar, Lahore Cantt.
2. M. Sham Lal Bhargava ... ... Dangar Street, Sudder Bazar, Lahore Cantt.

* * * * * * *

MULTAN.

1. M. S. Karim Bakhsh ... ... Sadar Bazar, Multan Cantonment.

MURREE HILLS.

1. M. M. C. Saighal ... ... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

* * * * * * *

RAWALPINDI.

1. M. Ghulam Muhiuddin ... ... R. A. Brigade Munshi, Rawalpindi.
2. M. Ghulam Rasul ... ... Sudder Bazar, Rawalpindi.
3. M. Fazal Ahmed ... ... Persian House, Rawalpindi.

SUBATHU.

1. M. Gulzar Lal ... ... South Lancashire Regiment, Subathu.

* * * * * * *

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

Punjab Government Press, Lahore—31-10-13—2067—860.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, NOVEMBER 7, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 1, 1913.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

Simla, the 27th October, 1913.

No. 2309.—The services of Munshi Abdus Samad, Munsif, are replaced at the disposal of the Government of the Punjab, with effect from the 5th July 1913.

H. WHEELER,

Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATION.

ACCOUNTS AND FINANCE.

LOANS AND ADVANCES.

Simla, the 30th October, 1913.

No. 2050-*A.*—In exercise of the powers conferred by sections 5 and 7 of the Local Authorities Loans, Act (XI of 1879), the Governor-General in Council is pleased to direct that the following rule shall be added to the Rules published with the notification of the Government of Indin in the Finance Department, No. 6566-A., dated the 24th October 1907:

"Rule 17. Notwithstanding anything contained in the foregoing rules, it shall be permissible for the Local Authority, with the previous sanction of the Governor-General in Council, to raise a loan by means of debentures repayable at the option of the said Local Authority, and to such a loan the provisions of rule 5 or rule 14 shall not apply."

J. B. BRUNYATE,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 30th October, 1913.

No. 44.—The undermentioned gentlemen have been appointed Assistant Engineers by His Majesty's Secretary of State for India, and are posted as follows :—

* * * * * * *

Mr. Mohd. Fakhar-ud-Din	Punjab Irrigation Branch.
Mr. Brij Mohan Lal	Ditto.
Mr. J. P. Gunn	Ditto.
Mr. W. R. Boyes	Ditto.
Mr. F. F. Haigh	Ditto.

* * * * * * *

R. P. RUSSELL,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Simla, the 20th October, 1913.

No. 1035—*F.* 106-9.—On return from combined leave Mr. L. Mercer, Conservator of Forests, 1st grade, resumed charge of the office of the President, Forest Research Institute and College, with effect from the afternoon of the 13th October 1913, the date on which he relieved Mr. R. S. Hole, Officiating Conservator of Forests, 3rd grade. From the same date Mr. Hole reverted to his substantive appointment of Deputy Conservator of Forests and Forest Botanist at the Forest Research Institute and College, relieving Mr. R. N. Parker, Deputy Conservator of Forests, whose services were replaced at the disposal of the Punjab Government.

E. D. MACLAGAN,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

ECCLESIASTICAL.

Simla, the 31st October 1913.

No. 582.—In supersession of the orders conveyed in the Department of Education notification No. 8, dated the 13th January 1911, the Governor General in Council is pleased to direct that the following note shall be substituted for Note III to the Finance Department resolution No. 2202, dated the 15th August 1876, published as Appendix A to the ecclesiastical rules with the Department of Education notification No. 212, dated the 10th May 1913 :—

" *Note III.*—When a first class church receives an allowance of less than Rs. 47 a month under the military rule referred to in Note II, it is entitled also to allowance from civil funds equal to the difference between the maximum permissible (namely, Rs. 47) and the amount paid under military rules."

L. C. PORTER,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 31st October 1913.

PROMOTIONS.

INDIAN SUBORDINATE MEDICAL DEPARTMENT.

SUB-ASSISTANT SURGEON BRANCH.

Bengal Establishment.

No. 895.—2nd Class Senior Sub-Assistant Surgeon (Supernumerary Senior Sub-Assistant Surgeon, 1st Class, ranking as Subadar) Saiyid Ali Naki (E), *Khan Sahib, seconded,* is absorbed in the rank of Senior Sub-Assistant Surgeon, 1st Class, ranking as Subadar and is *seconded.*

* * * * * * *

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

1st Punjab Volunteer Rifles.

No. 903.—Lieutenant Albert Blackwood to be Captain, *vice* J. G. H. T. Walker, deceased. Dated the 15th February 1913.

Albert Williams to be Lieutenant, *vice* A. H. Parker, transferred to the Supernumerary List. Dated the 1st May 1913.

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

BOARD OF EXAMINERS.

NOTICE.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language, who are desirous of obtaining competent teachers :—

* * * * * * *

AMBALA.

1. M. Mohd. Miyan Khan ... ... Sudder Bazar, Ambala.
2. M. Mohd. Akbar Khan ... ... The Oriental Lodge, Ambala.
3. M. Jawala Prasad, II ... ... B. I. Bazar, Ambala.

AMRITSAR.

1. M. Mohd. Ishaq ... ... Khazana Gate, Amritsar.

* * * * * * *

CAMPBELLPORE.

1. M. Rahim Shah... ... ... R. A. Munshi, Campbellpore.

DALHOUSIE.

1. M. Abdur Rahim ... ... Regimental Munshi, 1st Lancashire Fusiliers, Balun Bazar, Dalhousie.

* * * * * * *

JHELUM.

1. M. Thakur Das Pahwa ... ... Officers' Munshi, Jhelum.

JULLUNDUR.

1. M. Har Bhagat Singh Bains ... Talhan, Jullundur Cantonment.

KASAULI.

1. M. Anand Sarup ... ... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt, Kasauli.

LAHORE CANTT.

1. M. J. Kishori Lal	...	... R. A. Bazar, Lahore Cantt.
2. M. Sham Lal Bhargava	...	... Dangar Street, Sudder Bazar, Lahore Cantt.

* * * * * * *

MULTAN.

1. M. S. Karim Bakhsh	...	... Sadar Bazar, Multan Cantonment.

MURREE HILLS.

1. M. M. C. Saighal	...	... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

* * * * * * *

RAWALPINDI.

1. M. Ghulam Muhiuddin	...	... R. A. Brigade Munshi, Rawalpindi.
2. M. Ghulam Rasul	...	... Sudder Bazar, Rawalpindi.
3. M. Fazal Ahmed	...	... Persian House, Rawalpindi.

* * * * * * *

SUBATHU.

1. M. Gulzar Lal ...	...	... South Lancashire Regiment, Subathu.

* * * * * * *

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," NOVEMBER 1, 1913.

No. 2719.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

(CIVIL VETERINARY ADMINISTRATION.)

Simla, the 31st October 1913.

The following Memorandum and Order issued by the Board of Agriculture and Fisheries, London, are published for general information.

DISEASES OF ANIMALS ACTS, 1894 TO 1911.

Horses (Importation and Transit) Order of 1913.

This Order revokes the existing Orders dealing with the Importation and Transit of horses, asses and mules, and re-enacts those Orders with the following amendment:—

Importation—Chapter I.

Horses, asses and mules brought to Great Britain from abroad are required by the new Order to be accompanied by a veterinary certificate of freedom from symptoms of glanders (including farey), epizootic lymphangitis, ulcerative lymphangitis, dourine, horse-pox, sarcoptic mange, psoroptic mange, influenza, ringworm, or strangles, instead of, as at present, from symptoms of glanders (including farey) only.

The existing special provisions as to landing at Leith and Newcastle-upon-Tyne are continued.

The provisions of Chapter I of the Horses (Importation and Transit) Order of 1912, which, in effect required horses, asses, or mules brought from abroad to be either accompanied by a License of the Board of Agriculture and Fisheries or to be examined at a place of detention at the port of landing, but which had, for various reasons, been postponed from time to time and have not come into operation, are entirely withdrawn.

The new Order will come into force on the 1st October, 1913.

A. W. ANSTRUTHER,

Assistant Secretary.

Board of Agriculture and Fisheries,
4, Whitehall Place, London, S. W.,
26th September, 1913.

(8924.)

ORDER OF THE BOARD OF AGRICULTURE AND FISHERIES.

(DATED 25TH SEPTEMBER 1913.)

HORSES (IMPORTATION AND TRANSIT) ORDER OF 1913.

The Board of Agriculture and Fisheries, by virtue and in exercise of the powers vested in them under the Diseases of Animals Act, 1894 to 1911, and of every other power enabling them in this behalf, do order, and it is hereby ordered, as follows :—

CHAPTER I.—IMPORTATION.

Regulation of Importation of Horses, Asses and Mules.

1. No horse, ass, or mule, brought to great Britain from any other country, except Ireland, the Channel Islands or the Isle of Man, shall, subject to the provisions of the next following Article, be landed in Great Britain unless it is accompanied by a certificate of a veterinary surgeon to the effect that he examined the animal immediately before it was embarked, or whilst it was on board the vessel, as the case may be, and that he found that the animal did not show symptoms of glanders (including farcy), epizootic lymphangitis, ulcerative lymphangitis, dourine, horse-pox, sarcoptic mange, psoroptic mange, influenza, ringworm, or strangles.

Special Provisions as to Landing at Leith and Newcastle-upon-Tyne.

2. (1) Horses, asses or mules brought to Great Britain from Iceland or the Faroe Islands may be landed in the burgh of Leith, at the Albert Dock, or the Imperial Dock, or the Edinburgh Dock, or at the wharf belonging to the Corporation of Newcastle-upon-Tyne, situate between St. Lawrence-road and the River Tyne in the City of Newcastle-upon-Tyne, with the permission in writing of an Officer of Customs and Excise, under and in accordance with the following conditions, namely :—

(i) A horse, ass or mule so landed in the burgh of Leith shall be moved forthwith by the owner or person in charge thereof to the shed known as the Black Shed and situate between the south side of the Imperial Dock and the Albert Dock Basin.

(ii) A horse, ass or mule so landed in the City of Newcastle-upon-Tyne shall be moved forthwith by the owner or person in charge thereof to the sheds in the occupation of the Corporation of the said city, situate between St. Lawrence-road and the River Tyne.

(iii) Every animal when moved to the said shed shall be there detained by the owner or person in charge thereof until an Inspector of the Local Authority is furnished with a certificate by a veterinary surgeon stating that the horse, ass or mule has been examined by him and does not show symptoms of glanders (including farcy), epizootic lymphangitis, ulcerative lymphangitis, dourine, horse-pox, sarcoptic mange, psoroptic mange, influenza, ringworm or strangles, and the Inspector authorises the removal of the animal from the shed.

(iv) During movement to the shed, horses, asses and mules shall be kept separate from all horses, asses or mules not landed under this provision.

(2) If any horse, ass or mule in the shed is diseased or suspected within the meaning of any Order of the Board, the Local Authority of the District shall proceed in accordance with the provisions of that Order, except that any horse, ass or mule which is not diseased or suspected may be moved with the written permission of an Inspector of the Local Authority of the District to a vessel in the Leith Docks or Harbour, or in the River Tyne, as the case may be, for exportation; and also except that no compensation shall be payable in respect of any horse, ass or mule slaughtered by the Local Authority.

CHAPTER II.—CARRIAGE BY WATER.

Carriage by Water of Unfit Horses, &c.

3. No horse, ass or mule shall be permitted by the owner thereof, or his agent, or any person in charge thereof, to be embarked in a vessel for carriage thereon from any port in Great Britain if, owing to infirmity, illness, injury, fatigue or any other cause, it cannot be carried without unnecessary suffering during the intended passage.

Notification by Inspectors of Unfitness of Horses, &c., for Conveyance.

4. Where an Inspector of the Board or of a Local Authority is of opinion that a horse, ass or mule intended to be carried on a vessel from any port in Great Britain cannot, owing to infirmity, illness, injury, fatigue, or any other cause, be so carried without unnecessary suffering, he may serve a Notice to that effect on the person in charge of the animal and also, when practicable, on the master of the vessel, and until such Notice is withdrawn by an Inspector it shall be unlawful to carry the animal on a vessel, and if the animal is carried in contravention of this Article, the person in charge thereof, and the master of the vessel, where the Notice has been served on the master, shall be deemed guilty of an offence against the Act of 1894.

Provisions as to Vessels carrying Horses, &c.

5. The provisions of this Article shall apply to all vessels on which horses, asses or mules are carried to or from any port in Great Britain.

(Fittings of Vessels.)

(i) Each horse, ass or mule shall be carried in a separate box or stall, except that brood mares, ponies, asses, mules and unbroken horses, and horses in charge of special attendants, may be carried in pens. Boxes, stalls and pens shall be of sufficient size, and shall be so constructed as to be of a substantial character, and of sufficient strength to withstand the action of the weather and to resist the weight of any animal that may be thrown against them. A moveable box shall be so secured as to prevent its displacement by the motion of the vessel.

(ii) The floor of each box, stall or pen shall, in order to prevent slipping, be fitted with suitable battens, and be strewn with a proper quantity of sand or other suitable substance.

(iii) The vessel shall be provided with sufficient and suitable means for slinging the animals carried.

(iv) The fittings or other parts of a vessel, box, stall or pen likely to cause injury or unnecessary suffering to horses, asses or mules shall be properly and securely fenced off or padded, as the case may require.

(v) Horses, asses and mules while on a vessel shall be protected against injury or unnecessary suffering from undue exposure to the weather.

(Ventilation.)

(vi) All parts of the vessel in or on which horses, asses or mules are carried shall be sufficiently and suitably ventilated. All such parts if below deck shall, in addition to any ventilation obtained by means of the hatchways, be provided with sufficient and suitable ventilators for the removal of foul air and for the admission of a proper supply of fresh air to all the animals carried.

(Light.)

(vii) All parts of the vessel over which the horses, asses or mules pass, or in which they are carried, shall be properly lighted, and arrangements shall be made for the provision at all times of adequate light for the proper tending of the animals.

(Passage-Ways.)

(viii) Every part of the vessel where horses, asses or mules are carried shall be provided with one or more passage-ways leading from the hatchway or entrance to such part of the vessel and giving frontal access to each box or stall containing a horse, ass or mule. Each passage-way shall be of a minimum width of one foot and six inches, and be kept free of obstruction.

(Food and Water.)

(ix) Horses, asses and mules carried on a vessel for a voyage which on an average takes more than six hours shall be provided while on board with a sufficient amount of suitable food and water, and proper accommodation shall be provided on board for the stowage of the food, so that the same shall not be unduly exposed to the weather at sea.

(x) The provisions of the preceding paragraph (ix) shall not apply to a vessel on which horses, asses or mules are carried from Ireland to a port in Great Britain, or from Great Britain to a port in Ireland, but in any such case the following provisions shall apply :—

(a) Horses, asses and mules shall be provided while on board with a sufficient amount of food and water on the request, made before the sailing of the vessel, of the consignor or any person in charge thereof, or if the master of the vessel considers such food and water should be provided in order to protect the animals from unnecessary suffering. The cost of providing the food shall in each case be recoverable from the consignor of the animals.

(b) Proper accommodation shall be provided on board for the stowage of food carried thereon for the purpose of this provision, so that the same shall not be unduly exposed to weather.

(Securing of Horses, &c.)

(xi) All horses, asses or mules while being carried in a box or stall shall as far as practicable be security tied by the head.

(Attendance.)

(xii) A vessel on which horses, asses or mules are carried shall carry a sufficient number of qualified attendants to tend the animals properly.

(Returns as to Casualties.)

(xiii) The owner or charterer of a vessel on which horses, asses or mules are carried shall keep a record of all such animals which have died or have been killed or seriously injured while on such vessel, and shall at the end of every month make a return to the Board showing whether any, and, if so, how many, animals have so died or been killed or injured on the vessel.

(Saving for Ferry Boats, &c.)

(xiv) The foregoing provisions of this Article shall not extend to the carriage of horses, asses or mules on a vessel across an arm of the sea or over any ferry, or on a river, canal, or other inland water, but the fittings of the vessel shall be such as to protect as far as practicable the animals so carried from injury and unnecessary suffering, and as far as practicable provision shall be made in order to prevent slipping by strewing the deck with sand or other suitable substance.

(Approaches, Gangways, and other Apparatus.)

(xv) Approaches, gangways, passage-ways, cages, and other apparatus used for the loading or unloading or movement of horses, asses or mules on or from a vessel shall be so constructed that injury or unnecessary suffering shall not be caused to the animals.

(Overcrowding.)

(xvi) A vessel shall not be overcrowded in any part or pen so as to cause injury or unnecessary suffering to the horses, asses or mules thereon.

(Injured Horses, &c.)

(xvii) If any horse, ass or mule on a vessel has a limb broken or is otherwise seriously injured so as to be incapable of being disembarked without cruelty, the master of the vessel may, and shall if so required by the Diseases of Animals Act, 1910, forthwith cause that animal to be slaughtered. The person in charge of the animal shall forthwith report the injury to the master of the vessel.

(Approved Killing Instruments.)

(xviii) Every vessel on which a horse, ass or mule is carried shall carry a proper killing instrument, to be approved by the Board for that purpose, and it shall be the duty of the owner and master of every such vessel to see that the vessel is provided with such an instrument, and the master, if so required by an Inspector of the Board or of the Local Authority, shall produce the instrument for his inspection.

Water at Shipping and Unshipping Places.

6. At every place where horses, asses or mules are put on board of or landed from vessels, provision shall be made, to the satisfaction of the Board, for a supply of water for the animals; and water shall be supplied there gratuitously to any animal on request of any person having charge of the animal.

Provision to be made at Unshipping Places.

7. At every place where horses, asses or mules are landed from vessels, provision shall be made, to the satisfaction of the Board, for the speedy and convenient landing of the animals, and for a supply of food for them; and food shall be supplied there by the occupier of the landing place to any horse, ass or mule on request of any person having charge of the animal, at such price as the Board approve.

CHAPTER III.—CARRIAGE BY RAILWAY.

Carriage by Railway of Unfit Horses, &c.

8. No horse, ass or mule shall be permitted by the owner thereof, or his agent, or any person in charge thereof, to be carried by railway if, owing to infirmity, illness, injury, fatigue, or any other cause, it cannot be carried without unnecessary suffering during the intended transit by railway.

Notification by Inspectors of Unfitness of Horses, &c., for Conveyance.

9. Where an Inspector of the Board or of a Local Authority is of opinion that a horse, ass or mule intended to be carried by railway cannot, owing to infirmity, illness, injury, fatigue, or any other cause, be so carried without unnecessary suffering, he may serve a Notice to that effect on the person in charge of the animal and also, when practicable, on an officer of the railway company, and until such Notice is withdrawn by an Inspector it shall be unlawful to carry the animal by railway, and if the animal is carried in contravention of this Article, the person in charge thereof, and the railway company, where the Notice has been served on an officer of the company, shall be deemed guilty of an offence against the Act of 1894.

Construction of Trucks, &c., used for Carriage of Horses, &c.

10. (1) No horse, ass or mule shall be carried by railway in a truck or other vehicle which is not in accordance with the provisions of this Article.

(2) Every truck or other vehicle shall be provided at each end with spring buffers, and the floor thereof, in order to prevent slipping, shall be fitted with battens or other proper footholds, or be strewn with a proper quantity of litter or sand or other proper substance.

(3) The battens in a truck or other vehicle (other than a horse-box) shall be placed across the vehicle, except between the doorways, where they shall be placed lengthways.

(4) Every truck or other vehicle (other than a horse-box) shall be so constructed as to admit of ventilation and inspection at the floor level.

(5) Every truck or other vehicle shall be so constructed that the interior thereof shall be free from any bolt-heads, angles or other projections likely to cause suffering to animals carried therein.

(6) Every falling loading door and every gangway, passage-way, loading or unloading board shall be fitted with longitudinal battens or other proper footholds.

(7) Every truck for carrying horses, asses or mules, built after the first day of March, nineteen hundred and four, shall be fitted with a roof, and with falling loading doors of a pattern approved by the Board, and all internal projections shall be rounded.

(8) Every truck or other vehicle shall be so constructed as to permit of its being cleansed and disinfected in manner prescribed by this Order.

Overcrowding.

11. A railway company shall not allow any railway truck or other railway vehicle used for carrying horses, asses or mules on the railway, or any compartment thereof, to be overcrowded so as to cause injury or unnecessary suffering to the animals therein.

CHAPTER IV.—CLEANSING AND DISINFECTION.

Vessels.

12. (1) A vessel used for carrying horses, asses or mules by sea, or on a canal, river or inland navigation, shall after the landing of such animals therefrom at any port in Great Britain, and before the taking on board of any other such animal or other cargo, be cleansed and disinfected as follows :—

(i) All parts of the vessel with which any such animal or its droppings have come in contact shall be scraped and swept, and then be thoroughly washed or scrubbed or scoured with water, and then have applied to them a coating of lime-wash, or be otherwise disinfected in the manner hereinafter prescribed; provided that the application of lime-wash shall not be compulsory as regards such parts of the vessel as are used for passengers or the crew.

(ii) All fittings, pens, hurdles, or utensils used for or about the animals shall, if not permanently removed from the vessel, be scraped, and then be thoroughly washed or scrubbed or scoured with water, and then have applied to them a coating of lime-wash, or be otherwise disinfected in the manner hereinafter prescribed.

(2) The scrapings and sweepings of the vessel shall not be landed unless and until they have been well mixed with quicklime.

(3) In the case of a ferry-boat or other vessel which makes short and frequent passages across a river or an arm of the sea or other water, it shall be sufficient if the ferry-boat or vessel be cleansed and disinfected once in every period of twelve hours within which it is so used.

Fodder and Litter.

13. All partly consumed or broken fodder that has been supplied to, and all litter that has been used for or about, horses, asses or mules carried by sea, or on a canal, river or inland navigation, shall, if and when landed from the vessel, be forthwith well mixed with quicklime and be effectually removed from contact with horses, asses or mules.

Moveable Gangways and other Apparatus.

14. (1) A moveable gangway, passage-way, cage, or other apparatus used for the loading or unloading of horses, asses or mules on or from a vessel, or otherwise used in connection with the transit of such animals by sea, or on a canal, river or inland navigation, or used for the loading or unloading of such animals on or from a railway truck or other railway vehicle or otherwise used in connection with the transit of such animals on a railway shall as soon as practicable after being so used be cleansed as follows :—

The apparatus shall be scraped and swept, so as effectually to remove therefrom all dung, litter, and other matter, and then be thoroughly washed or scrubbed or scoured with water.

(2) The scrapings and sweepings of the apparatus, and all dung, litter, and other matter removed therefrom shall forthwith be well mixed with quicklime, and be effectually removed from contact with horses, asses or mules.

Trucks, &c.

15. (1) A railway truck, if used for horses, asses or mules on a railway, shall, on every occasion after a horse, ass or mule is taken out of it, and before any other horse, ass or mule, or any fodder or litter, or anything intended to be used for or about horses, asses or mules is placed in it, be cleansed and disinfected as follows :—

(i) The floor of the truck, and all other parts thereof with which any such animal or its droppings have come in contact shall be scraped and swept, and the scrapings and sweepings, and all dung, sawdust, litter, and other matter shall be effectually removed therefrom : then

(ii) The same parts of the trucks shall be thoroughly washed or scrubbed or scoured with water; and then have applied to them a coating of lime-wash, or be otherwise disinfected in the manner hereinafter prescribed.

(2) The scrapings and sweepings of the truck, and all dung, sawdust, litter, and other matter removed therefrom shall forthwith be well mixed with quicklime, and be effectually removed from contact, with horses, asses or mules.

Horse-Boxes, Guards' Vans, &c.

16. (1) A horse-box or other railway vehicle (not being a railway truck) if used for horses, asses or mules on a railway shall, on every occasion after the animal is taken out of it, and before any other horse, ass or mule is placed in it, be cleansed and disinfected as follows :—

(i) The floor of the vehicle, and all other parts thereof with which the droppings of the animal have come in contact, shall be scraped and swept, and the scrapings and sweepings, and all dung, sawdust, fodder, litter, and other matter shall be effectually removed therefrom ; and

(ii) The sides of the vehicle, and all other parts thereof with which the head or any discharge from the mouth or nostrils of the animal has come in contact, and any halter or headstall used for the animal, shall be thoroughly washed with water by means of a sponge, brush or other instrument, and then as far as practicable be disinfected in the manner hereinafter prescribed: and

(2) The scrapings and sweepings of the vehicle, and all dung, sawdust, fodder, litter, and other matter removed therefrom shall forthwith be well mixed with quicklime, and be effectually removed from contact with horses, asses or mules.

Disinfection prescribed in Specified Cases.

17. The prescribed manner of disinfection to be adopted in the case of any place or thing or part of a place or thing required to be disinfected under this Order is as follows :—

The place or thing, or the part thereof, required to be disinfected shall be thoroughly coated or washed with—

(a) a one per cent. (minimum) solution of chloride of lime containing not less than thirty per cent. of available chlorine ; or

(b) a four per cent. (minimum) solution of carbolic acid (containing not less than ninety-five per cent. of actual carbolic acid), followed by a thorough sprinkling with lime-wash ; or

(c) a disinfectant equal in disinfective efficiency to the above-mentioned solution of carbolic acid, followed by a thorough sprinkling with lime-wash.

CHAPTER V.—GENERAL.

Digging up of Carcases.

18. It shall not be lawful for any person, except with the license of the Board or permission in writing of an Inspector of the Board, to dig up, or cause to be dug up, the carcase of any horse, ass or mule that has been buried.

Expenses of Burial of Carcases of Horses, &c., washed ashore.

19. Section 43 of the Diseases of Animals Act, 1894, which relates to expenses of burial of certain carcases washed ashore, shall apply to any carcase of a horse, ass or mule washed ashore.

Local Authority to enforce Order.

20. The provisions of this Order, except where it is otherwise provided, shall be executed and enforced by the Local Authority of each District in Great Britain.

Extension of certain Sections of Diseases of Animals Act, 1894.

21. Horses, asses and mules shall be animals for the purposes of the following sections of the Act of 1894 (namely):

Section forty-three (*Police*) ;

Section forty-four (*General Administrative Provisions*) ;

Section fifty-six (*Proceedings under Customs Acts for unlawful landing or shipping*) ;

and also for the purposes of all other sections of the said Act containing provisions relative to or consequent on the provisions of those sections and this Order, including such sections as relate to offences and legal proceedings.

Crown not bound by the Order.

22. This Order does not bind the Crown.

Offences.

23. (1) If any horse, ass or mule is landed in contravention of this Order, the owner thereof, and the owner and the lessee and the occupier of the place of landing where such animal is landed, and also the owner and the charterer and the master of the vessel from which the same is landed, shall, each according to and in respect of his own acts and defaults, be deemed guilty of an offence against the Act of 1894.

(2) If any horse, ass or mule is carried on a vessel which does not conform to the provisions of this Order as to vessels carrying horses, asses or mules, or if any such provision, or any provision as to cleansing and disinfection of vessels or any apparatus used in connection with the transit of such animals by sea, is not complied with on a vessel on which horses, asses or mules are carried, the owner and the charterer and the master of the vessel shall, each according to and in respect of his own acts and defaults, be deemed guilty of an offence against the Act of 1894.

(3) If any horse, ass or mule is carried by railway in a vehicle which is not constructed in accordance with the provisions of this Order, or if any provision as to cleansing and disinfection of railway vehicles used for horses, asses or mules, or any apparatus used in connection with the transit of such animals on a railway, is not complied with, the railway company carrying the animal or owning or using the vehicle or apparatus shall be deemed guilty of an offence against the Act of 1894.

Interpretation.

24. In this Order, unless the context otherwise requires,—

"The Board" means the Board of Agriculture and Fisheries :

"Port" includes place :

"Person" includes a body corporate :

"Fodder" means hay or other substance commonly used for food of horses, asses or mules :

"Litter" means straw or other substance commonly used for bedding or otherwise for or about horses, asses or mules :

"The Act of 1894" means the Diseases of Animals Act, 1894 :

"Master" includes a person having the charge or command of a vessel :

Other terms have the same meaning as in the Act of 1894.

Commencement.

25. This Order shall come into operation on the first day of October, nineteen hundred and thirteen.

Revocation.

26. The orders described in the Schedule hereto are hereby revoked to the extent therein specified.

Short Title.

27. This Order may be cited as the HORSES (IMPORTATION AND TRANSIT) ORDER OF 1913.

L. S.

In witnesses whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this twenty-fifth day of September, nineteen hundred and thirteen.

A. W. Anstruther,
Assistant Secretary.

SCHEDULE.

Orders Revoked.

No.	Date.	Subject or Short Title.	Extent of Revocation.
7322	1907. 23 August.	The Glanders or Farcy Order of 1907 ...	Articles 2 and 23 (1) only (*Regulation of Importation of Horses, Asses and Mules*).
7511	1908. 24 June.	Landing at Newcastle-upon-Tyne of horses, asses, or mules brought from Iceland or the Faroe Islands.	The whole Order.
7696	1909. 12 May.	Landing at Leith of horses, asses or mules brought from Iceland or the Faroe Islands.	The whole Order.
8313	1912. 22 April.	Horses (Importation and Transit) Order of 1912.	The whole Order.
8906	1913. 25 August.	Amendment of Article 13 (ix) of Order No. 8313.	The whole Order.

E. D. MACLAGAN,
Secretary to the Government of India.

Punjab Government Press, Lahore—7-11-13—2132—860.

Government Gazette
PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, NOVEMBER 14, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 1, 1913.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 30th October, 1913.

No. 44.—The undermentioned gentlemen have been appointed Assistant Engineers by His Majesty's Secretary of State for India and are posted as follows :—

* * * * * * * *

Mr. A. E. Knox	... ...	Punjab, Buildings and Roads Branch.
Mr. G. T. Pound	... ...	Ditto.

* * * * * * * *

No. 45.—The services of Mr. H. M. Griffiths, Executive Engineer, Punjab, are placed at the disposal of the Chief Commissioner, Delhi, with effect from the date he reports himself for duty at Delhi.

R. P. RUSSELL,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 8, 1913.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 1st November, 1913.

No. 2713-*Est.A.*—The services of Lieutenant-Colonel B. E. M. Gurdon, C.I.E., D.S.O., of the Political Department are placed at the disposal of the Government of the Punjab with effect from the date of his return from leave.

J. B. WOOD,

Offg. Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

EMIGRATION.

No. 9446-9461-3.

Simla, the 7th November, 1913.

RESOLUTION—By the Government of India, Department of Commerce and Industry.

Intimation has been received from His Majesty's Secretary of State for India that the Government of Canada anticipate a very congested labour market in British Columbia and propose to prohibit until 31st March 1914 the landing therein of any immigrant of the artisan or general or unskilled labour class, subject to the proviso that the immigration authorities may admit any immigrant if satisfied that his admission will not add to the congestion of the labour market.

The Governor General in Council accordingly requests all Local Governments and Administrations to make the above intimation as widely known as possible, particularly in places from which emigration to Canada is believed to be most common. Intending emigrants should also be warned at the ports of embarkation of the risks they run in proceeding to that country.

ORDER.—Ordered that a copy of the above Resolution be forwarded for information and guidance to the Local Governments and Administrations noted in the margin and to the Home and Foreign Departments for information.

The Government of Madras.
The Government of Bombay.
The Government of Bengal.
The Government of Bihar and Orissa.
The Government of the United Provinces.
The Government of the Punjab.
The Government of Burma.
The Hon'ble the Chief Commissioner of the Central Provinces.
The Hon'ble the Chief Commissioner of Assam.
The Chief Commissioner of Coorg.
The Chief Commissioner of Ajmer-Merwara.
The Hon'ble the Chief Commissioner and Agent to the Governor-General, North-West Frontier Province.
The Hon'ble the Agent to the Governor General and Chief Commissioner in Baluchistan.
The Chief Commissioner of Delhi.

Ordered also that a copy be published in the *Gazette of India* for general information.

POST OFFICE ESTABLISHMENT.

The 8th November, 1913.

No. 9270-12.—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Governor General in Council is pleased to direct that, with effect from the 1st January 1914, the following amendment shall be made in the rules issued with the notification of the Government of India in the Department of Commerce and Industry No. 2883-45, dated the 26th April 1913, namely :—

In rule 15 for the words "eighty tolas" the words "two hundred tolas" shall be substituted.

R. E. ENTHOVEN,
Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 7th November 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

North-Western Railway Volunteer Rifles.

No. 931.—Sir Louis William Dane, G.C.I.E., C.S.I., resigns his appointment as Honorary Colonel of the Corps. Dated the 1st June 1913.

The Hon'ble Sir Michael Francis O'Dwyer, K.C.S.I., Lieutenant-Governor of the Punjab, to be Honorary Colonel of the Corps, *vice* Sir Louis William Dane, G.C.I.E., C.S.I., resigned. Dated the 1st June 1913.

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

S. P. G. P.—860—2192 P. G. G.—14-11-13.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, NOVEMBER 21, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 15, 1913.

BOARD OF EXAMINERS.

NOTICE.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language who are desirous of obtaining competent teachers :—

* * * * * * *

AMBALA.

1. M. Mohd. Miyan Khan	...	... Sudder Bazar, Ambala.
2. M. Mohd. Akbar Khan	...	... The Oriental Lodge, Ambala.
3. M. Jawala Prasad, II	...	... B. I. Bazar, Ambala.

AMRITSAR.

1. M. Mohd. Ishaq ...	...	... Khazana Gate, Amritsar.

* * * * * * *

CAMPBELLPORE.

1. M. Rahim Shah...	...	... R. A. Munshi, Campbellpore.

DALHOUSIE.

1. M. Abdur Rahim	...	... Regimental Munshi, 1st Lancashire Fusiliers, Balun Bazar, Dalhousie.

* * * * * * *

JHELUM.

1. M. Thakur Das Pahwa	...	... Officers' Munshi, Jhelum.

JULLUNDUR.

1. M. Har Bhagat Singh Bains		... Talhan, Jullundur Cantonment.

KASAULI.

1. M. Anand Sarup	...	... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt, Kasauli.

1344 PGG

LAHORE CANTT.

1.	M. J. Kishori Lal ...	... R. A. Bazar, Lahore Cantt.
2.	M. Sham Lal Bhargava ...	... Dangar Street, Sudder Bazar, Lahore Cantt.

* * * * * * *

MULTAN.

1.	M. S. Karim Bakhsh ...	... Sadar Bazar, Multan Cantonment.

MURREE HILLS.

1.	M. M. C. Saighal ...	... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

* * * * * * *

RAWALPINDI.

1.	M. Ghulam Muhiuddin ...	... R. A. Brigade Munshi, Rawalpindi.
2.	M. Ghulam Rasul ...	... Sudder Bazar, Rawalpindi.
3.	M. Fazal Ahmed ...	... Persian House, Rawalpindi.

* * * * * * *

SUBATHU.

1.	M. Gulzar Lal	... South Lancashire Regiment, Subathu.

* * * * * * *

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

IMPERIAL DEPARTMENT OF AGRICULTURE IN INDIA.

NOTIFICATION.

Pusa, the 5th November 1913.

The following Prospectus of Short Courses of Instruction given at the Agricultural Research Institute, Pusa, is published for general information :—

SHORT COURSES OF INSTRUCTION GIVEN AT PUSA.

The function of the Pusa College in the general scheme of Agricultural Education in India has been defined as that of a higher Teaching Institution and Research Station for post-graduate agricultural students and for advanced science students, particularly from Indian Universities.

But for the present it seems necessary for the Pusa Institute to continue to assist Provinces and Native States by giving short courses of instruction in special branches of agriculture or in simple industries connected with agriculture. There are now facilities at Pusa for thorough instruction in the subjects referred to.

The short courses are broadly defined in a syllabus for each subject which is appended hereto. The instruction is essentially practical in character and requires no scientific training and not even a knowledge of English. Students should, however, have a fair general education.

Men who have not the instincts of the profession which they are following or propose to follow will not be accepted. It is desired to admit in particular to Pusa for these courses men who are *bonâ fide* agriculturists or *Malis* by caste.

The courses will be suitable for men of the subordinate staff of all the Agricultural Departments, and will be open to private individuals who are engaged or propose to engage in the special branches of agriculture and allied subjects dealt with.

A recommendation of a suitable candidate by a Director of Agriculture or any other authorised authority will be accepted, if the applicant is certified to be of good character and in robust health.

Free quarters of a very simple but sufficient character will be provided.

Students will have to pay all travelling and personal expenses. The latter at Pusa need not exceed Rs. 15 per mensem.

No books will be required.

Applications should be addressed to the Director of the Agricultural Research Institute Pusa, Bihar.

SYLLABUS OF SHORT COURSES.

Section of Agriculture.

(1) *Cattle Management.*—The course will occupy three months. It will deal with the general management of breeding herds and of milch and draught cattle and will include simple instruction in the recognition, treatment and prevention of the more common diseases. The Imperial Pathological Entomologist will deal with the principal insect pests of cattle, the part which they play as disease-carriers and methods of treatment. Courses will commence in October and January.

Section of Economic Botany.

(2) *Fruit Growing.*—The course will be an eight months' one and will deal with—

(*a*) The general management of a fruit garden, including choice of site, laying out, draining and planting, the choice of varieties, irrigation, cultivation and manuring.

(*b*) Special processes, such as budding, grafting, layering, pruning and root pruning, weathering.

(*c*) Disposal of fruit, including packing, grading, packing and marketing.

(*d*) Evaporating, drying and preserving.

The course will begin each year on the 1st of October and will last till the end of May.

Section of Entomology.

(3) *Eri-silk as a Cottage Industry.*—The course will occupy about six months and will commence on July 1st of each year. It includes rearing, spinning, dyeing and weaving.

(4) *Lac Cultivation as an Adjunct to ordinary Agriculture.*—The training can be given only from June 1st to 30th and October 1st to 31st. The June course is the chief one, but if a sufficient number of *bonâ fide* students apply, a second course in October will also be given. These dates vary a little according to the season as lac does not always come out regularly. The training includes pruning and handling of trees, inoculation of lac, harvesting, scraping and washing. It covers the whole industry to the production of seed lac and is exclusive of the production of shellac.

(5) *Mulberry Silk Culture.*—The course includes rearing, selection of disease-free eggs, reeling and the utilization of waste cocoons. Instruction is also given in the varieties of silk worms. Silk twisting (spinning) and dyeing with the simpler forms of weaving are taught. The full course occupies twelve months. The training covers only the ordinary existing methods of reeling and weaving and not the more complex ones. The course will commence on July 1st each year.

J. MACKENNA,

Offg. Agricultural Adviser to the Government of India and Director,
Agricultural Research Institute, Pusa, Bihar.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED NOVEMBER 15, 1913.

Nos. 1982—2004.

GOVERNMEMT OF INDIA.
HOME DEPARTMENT.

JUDICIAL.

Simla, the 12th November 1913.

RESOLUTION.

In exercise of the powers conferred by section 2 of the East India Contracts Act, 1870 (33 and 34 Vict., Cap. 59), and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to direct that the following be substituted for Part D, item 2 (*a*) of Part M, and for item 8 of Part N, respectively, of the Resolution of the Government of India in the Home Department, Nos. 713-734 (Judicial), dated the 2nd June 1913, relating to the execution of deeds, contracts and other instruments on behalf of His Majesty's Secretary of State for India in Council :—

D.—In the case of the Currency Department, Treasuries and Account Offices :—

1. Mortgage-deeds given as security in connection with the employment of officers as Treasurers and the like in Currency Offices, and agreements entered into with such officers.	By the Head Commissioner or Commissioner of Paper Currency.

2. Mortgage-deeds given as security in connection with the employment of officers as Treasurers and Shroffs in District or Sub-District Treasuries and agreements entered into with such officers.	By Collectors or Deputy Commissioners of Districts.
3. Mortgage-deeds given as security in connection with the employment of Treasurers, Cashiers or Clerks in Account Offices, charged with the disbursement of money or the custody and handling of securities.	By the Head of the Office.
4. Instruments relating to the re-assignment of insurance policies which are assigned to the Secretary of State for India in accordance with the rules regulating the General Provident Fund.	By the Account Officer of the Fund, as defined in the rules of the fund.
5. Deeds of reconveyance of security given by Shroffs in District and Sub-District Treasuries.	By Collectors or Deputy Commissioners of Districts.

M.—In the territories under the administration of the Government of Madras, as regards contracts, etc., not hereinbefore specified :—

* * * * * * *

2. (a) Contracts and other instruments for the purchase, supply, conveyance or carriage of building materials, stores, machinery, etc., and the provision of labour for building or other work, and such like engagements.	By Collectors of Districts, Sub-Collectors, Assistant and Deputy Collectors in charge of Divisions ; Inspectors-General, Deputy Inspectors-General, and Superintendents of Police ; Commissioner of Police, Madras ; Inspector-General of Prisons ; Inspector-General of Registration ; Superintendent of Stationery ; the Presidency Port Officer and Port Officers ; and the Director of Industries.

N.—In the territories under the administration of the Government of Bombay, as regards contracts, etc., not hereinbefore specified :—

* * * * * * *

8. Deeds, contracts, and instruments relating to land, or to any benefit arising out of land, or to water, or to any benefit arising out of water, or to land revenue.	In the City of Bombay, by the Collector of Bombay ; elsewhere, by Collectors of Districts ; or in any business connected with the duties of the Talukdari Settlement Officer or of the Special Officer, Salsette Building Sites, by those Officers, respectively.

ORDER.—Ordered that the above Resolution be communicated to the Governments of Madras and Bombay and to other Local Governments and Administrations* and the several Departments† of the Government of India for information and guidance, ‡with reference to their letters Nos. 2868 and 1990-C-13.—2, dated the 29th September and 9th October 1913 respectively

§ with reference to their letter No. 7142, dated the 10th October 1913,

(and for communication to the Agent to the Governor-General, Baluchistan) ; and that it may be also published in the Supplement to the *Gazette of India.*

* Bengal. Bihar and Orissa. United Provinces. Punjab. Burma. Central Provinces. Assam. Coorg. North-West Frontier Province. Delhi.

† Foreign. Army. Revenue and Agriculture. Public Works. Commerce and Industry. Railway. Legislative. Finance. Finance (Military Finance). Education.

( ) to Foreign Department only.

‡To Madras only.

§To Bombay only.

H. W HEELER,

Secretary to the Government of India.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, NOVEMBER 28, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED OCTOBER 11, 1913.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 8th October, 1913.

No. 1892-*G.*—With reference to the Notifications of the Government of India in the Foreign Department Nos. 1920-G. and 536-G., dated, respectively, the 9th September, 1910, and the 17th March, 1911, the following notification, which has been published at page 5844 of the "London Gazette" of the 15th August, 1913, is republished for general information:—

At the Court at *Buckingham Palace*, the 12th day of *August*, 1913.

PRESENT:

The KING'S Most Excellent Majesty.
Lord President.
Mr. Secretary Harcourt.
Sir William Carington.
Mr. Fischer.
Sir Louis Mallet.

WHEREAS by treaty, grant, usage, sufferance, or other lawful means, His Majesty the King has jurisdiction within China:

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as "The China (Amendment) Order in Council, 1913," shall be read as one with the China Order in Council, 1904, hereinafter referred to as the "Principal Order," and this Order and the China Orders in Council, 1904 to 1910, may be cited together as "The China Orders in Council, 1904 to 1913."

2. In this Order, unless the context otherwise requires:—

"Judgment" includes decree, order, sentence, or decision;

"Record" means the aggregate of papers relating to an Appeal to His Majesty in Council (including the pleadings, proceedings, evidence and judgments) proper to be laid before His Majesty in Council on the hearing of the Appeal;

"Registrar" includes the officer having the custody of the records in the Supreme Court.

3. (1) Any person committing a breach of any International Regulations approved by the Secretary of State under article 74 of the Principal Order shall, on conviction, be liable to the punishment, forfeiture, or fine therein prescribed, or, if no such punishment or fine is prescribed, he shall be liable, on conviction, to imprisonment with or without hard labour for a period not exceeding one month, or to a fine not exceeding £20.

(2) Where a fine is recovered for breach of such Regulations, and the Regulations contain no provisions as to the manner in which it shall be disposed of and applied, it shall be disposed of and applied in such manner as the Minister may direct.

4. In the application of the Perjury Act, 1911, by the Court, in the exercise of its criminal jurisdiction on the principles of, and in conformity with, English law for the time being under article 35 (2) of the Principal Order, the words "judicial proceeding" in the said Act shall be deemed to include a proceeding before a Chinese Court, or a Court in China of any State in amity with His Majesty.

5. If any person subject to the jurisdiction of the Court does any act in relation to proceedings in a Chinese Court, or before a Chinese judicial officer, or in a Court or before a judicial officer in China of any State in amity with His Majesty, which, if done in the course of, or in relation to, any proceedings in the Court, would have been punishable as an offence, such person shall be guilty of an offence, and shall be liable, on conviction, to such punishment as he would have been liable to if the offence had been committed in the course of, or in relation to, proceedings in the Court.

6. When a British subject is accused of an offence, the cognizance whereof appertains to any Court established under the Principal Order, and it is expedient that the offence be inquired of, tried, determined, and punished in a British possession, the accused may (under "The Foreign Jurisdiction Act, 1890," section 6) be sent for trial to Lahore, and the Chief Court of the Punjab shall be the authorized Court for the purposes of that enactment.

The Court may, where it appears to be so expedient, by warrant under the hand of a Judge and the Seal of the Court, cause the accused to be sent for trial to Lahore accordingly.

The warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and to carry him to and deliver him up at Lahore, according to the Warrant.

When any person is to be so sent to Lahore, the Court before which he is accused shall take the preliminary examination, and, if it seems necessary and proper, shall bind over such of the proper witnesses as are British subjects in their own recognizances to appear and give evidence at the trial.

Nothing in this article shall affect to operation of article 50 of the Principal Order.

Appeals in Criminal Cases.

7. Any person who is convicted of an offence on a trial under article 45 of the Principal Order, or who is sentenced on a conviction for an offence under article 48 of the Principal Order, to be imprisoned without the option of a fine, may appeal to the full Court—

(i) Against his conviction—

(a) On any ground of appeal which involves a question of law alone; or

(b) With the leave of the Full Court, or upon the certificate of the Court which tried him, that it is a fit case for appeal, against his conviction on any ground of appeal which involves a question of fact alone, or a question of mixed law and fact; or

(c) With the leave of the Full Court, on any other ground which appears to the Full Court to be a sufficient ground of appeal.

(ii) With the leave of the Full Court, against the sentence passed on his conviction, unless the sentence is one fixed by law.

8. After the hearing and determination at a summary trial under article 48 of the Principal Order of any information or complaint, either party to such summary trial may, if dissatisfied with the said determination as being erroneous in point of law, appeal to the Full Court.

9. (1) When a person desires to appeal to the Full Court under articles 7 or 8 he shall give notice of his Appeal, or of his application for leave to appeal, to the Court against whose judgment or sentence he desires to appeal, in such manner as may be prescribed, within 7 days of the date of his conviction or of the determination of an information or complaint.

(2) An appellant may, in such manner as may be prescribed, present his case and his argument in writing, and deliver the same to the Registrar of the Court before which the trial took place. The respondent may in like manner present his case and argument in writing, and deliver the same to the Registrar of the said Court.

(3) Such Court shall thereupon send under the seal of the Court to the Registrar of the Supreme Court the notice, the case, and the argument, if any, and a report by the Judge who presided at the trial, together with such other papers and in such manner as may be prescribed.

(4) Where the trial took place before a Judge of the Supreme Court, sitting elsewhere than at Shanghai, the papers may be transmitted to the Registrar of the Supreme Court through the Provincial Court of the district.

10. Where notice is given under article 9, the Court before which the trial was had may, as it thinks fit, either postpone judgment on the conviction or respite execution of the judgment, and either commit the person convicted to prison or take security for him to come up for judgment or to deliver himself for execution of the judgment (as the case may require) at an appointed time and place.

11. An appellant shall not be entitled to be present at the hearing of an Appeal except by leave of the Full Court, or of the Court before which he was convicted.

12. (1) Appeals under articles 7 and 8 of this Order shall be heard and determined by the Full Court.

(2) In the hearing and determination of such Appeals the Full Court shall, so far as circumstances admit, follow the practice of the Court of Criminal Appeal in England and the provisions contained in sections 1 (5), 4, 5, 6, 8, 9, 11 (2), 14 (2) (3), 17 and 21 of the Criminal Appeal Act, 1907, or of any law amending or substituted for the same.

(3) Provided that the Full Court shall not annul a conviction or sentence, or vary a sentence, on the ground—

(*a*) Of any objection which, if stated during the trial, might, in the opinion of the Court, have been properly met by amendment at the trial; or

(*b*) Of any error in the summoning of the jury or the assessors; or
(*c*) Of any person having served as a juryman or an assessor who was not qualified; or
(*d*) Of any objection to any person as a juryman or assessor which might have been raised before or at the trial; or
(*e*) Of any informality in the swearing of any witness; or
(*f*) Of any error or informality which, in the opinion of the Court, did not affect the substance of the case or subject the convicted person to any undue prejudice.

(4) The Full Court shall not award costs to either side in an Appeal under this part of the Order save in an appeal under article 8.

13. The power of the Judge of the Supreme Court, under article 119 of the Principal Order, to make rules of Court shall extend to rules for the purpose of regulating the manner of presenting Appeals, as to the papers which are to be sent to the Full Court, and the transmission of the same, and generally as to the conduct of Appeals and all matters connected therewith.

14. Article 52 of the Principal Order shall apply to all proceedings before the Full Court under this Order.

15. When notice has been given of any Appeal or application for leave to appeal, the Judge of the Supreme Court shall, save where the trial took place before himself, have power, for reasons to be recorded in the minutes, to order that it shall be heard and determined or dealt with, in the manner provided in this Order by himself alone instead of by the Full Court.

16. Where a person is convicted of any offence before any Court, if the Judge of such Court thinks fit to reserve for the consideration of the Full Court any question of law arising at the trial, he shall state a case, setting out the facts and the grounds of the conviction, and the question of law, and send or deliver it to the Registrar of the Supreme Court.

The jurisdiction of the Full Court under this article shall be exercised subject to the provisions of this Order.

17. There shall be no Appeal in a criminal case to His Majesty the King in Council from a decision of the Full Court or from a decision of the judge alone under article 15, except by special leave of His Majesty in Council.

18. Reports to the Minister under article 64 of the Principal Order of sentences of death shall not be sent until the expiration of the time allowed for an Appeal, or for applying for leave to appeal, against the conviction, or, if there is an Appeal, until the determination of the Appeal.

Appeals to His Majesty in Council.

19. Subject to the provisions of this Order, an Appeal shall lie to His Majesty in Council—

(1) As of right, from any final judgment of the Supreme Court made in a civil action, where the matter in dispute on the Appeal amounts to or is of the value of £500 or upwards, or, where the Appeal involves, directly or indirectly, some claim or question to or

respecting property or some civil right amounting to or of the value of £ 500 or upwards; and

(2) At the discretion of the Supreme Court, from any other judgment of the Supreme Court, whether final or interlocutory, if, in the opinion of the Supreme Court, the question involved in the Appeal is one which, by reason of its great general or public importance or otherwise, ought to be submitted to His Majesty in Council for decision.

20. Applications to the Supreme Court for leave to appeal shall be made by motion within fifteen days from the date of the judgment to be appealed from, and, unless the application is made in Court at the time when such judgment is given, the applicant shall give the opposite party notice of his intended application.

21. Leave to appeal under article 13 shall only be granted by the Supreme Court in the first instance—

(a) Upon condition of the appellant, within two months from the date of the hearing of the application for leave to appeal, giving security, to the satisfaction of the Court, to an amount not exceeding £500, for the due prosecution of the Appeal, and for the payment of all such costs as may become payable to the respondent in the event of the appellant's not obtaining an order granting him final leave to appeal, or of the Appeal being dismissed for non-prosecution, or of His Majesty in Council ordering the appellant to pay the respondent's costs of the Appeal (as the case may be); and

(b) Upon such other conditions (if any) as to the time or times within which the appellant shall take the necessary steps for the purpose of procuring the preparation of the Record and the despatch thereof to England as the Court, having regard to all the circumstances of the case, may think it reasonable to impose.

22. Where the judgment appealed from requires the appellant to pay money or perform a duty, the Supreme Court shall have power, when granting leave to appeal, either to direct that the said judgment shall be carried into execution or that the execution thereof shall be suspended pending the appeal, as to the Court shall seem just, and in case the Court shall direct the said judgment to be carried into execution, the person in whose favour it was given shall, before the execution thereof, enter into good and sufficient security, to the satisfaction of the Court, for the due performance of such Order as His Majesty in Council shall think fit to make thereon.

23. The preparation of the Record shall be subject to the supervision of the Supreme Court, and the parties may submit any disputed question arising in connection therewith to the decision of the Court, and the Court shall give such directions thereon as the justice of the case may require.

24. The Registrar, as well as the parties and their legal agents, shall endeavour to exclude from the Record all documents (more particularly such as are merely formal) which are not relevant to the subject matter of the Appeal, and, generally, to reduce the bulk of the Record as far as practicable, taking special care to avoid the duplication of documents and the unnecessary repetition of headings and other merely formal parts of documents; but the documents omitted to be copied or printed shall be enumerated in a list to be placed after the index or at the end of the Record.

25. Where in the course of the preparation of a Record one party objects to the inclusion of a document on the ground that it is unnecessary or irrelevant, and the other party nevertheless insists upon its being included, the Record, as finally printed, shall, with a view to the subsequent adjustment of the costs of and incidental to such document, indicate in the index of papers, or otherwise, the fact that, and the party by whom, the inclusion of the document was objected to.

26. The Record shall be printed in accordance with the rules in the Schedule to this Order, and may be printed either locally or in England.

27. Where the Record is printed locally the Registrar shall, at the expense of the appellant, transmit to the Registrar of the Privy Council forty copies of such Record, one of which copies he shall certify to be correct by signing his name on, or initialling, every eighth page thereof, and by affixing thereto the seal of the Supreme Court.

28. Where the Record is to be printed in England, the Registrar shall, at the expense of the appellant, transmit to the Registrar of the Privy Council one certified copy of such Record, together with an index of all the papers and exhibits in the case. No other certified copies of the Record shall be transmitted to the agents in England by or on behalf of the parties to the Appeal.

29. Where part of the Record is printed locally and part is to be printed in England, articles 21 and 22 shall, as far as practicable, apply to such parts as are printed locally and such as are to be printed in England, respectively.

30. The reasons given by the Judge, or any of the Judges, for or against any judgment pronounced in the course of the proceedings out of which the Appeal arises, shall, unless they are included in the Record, be communicated in writing by such Judge or Judges to the Registrar, and shall by him be transmitted to the Registrar of the Privy Council at the same time when the Record is transmitted.

31. Where there are two or more applications for leave to appeal arising out of the same matter, and the Supreme Court is of opinion that it would be for the convenience of the Lords of the Judicial Committee and all parties concerned that the Appeals should be consolidated, the Court may direct the Appeals to be consolidated, and grant leave to appeal by a single order.

32. An appellant, who has obtained an order granting him conditional leave to appeal, may, at any time prior to the making of an order granting him final leave to appeal, withdraw his appeal on such terms as to costs and otherwise as the Supreme Court may direct.

33. Where an appellant, having obtained an order granting him conditional leave to appeal, and having complied with the conditions imposed on him by such order, fails thereafter to apply with due diligence to the Supreme Court for an order granting him final leave to appeal, the Court may, on an application in that behalf made by the respondent, rescind the order granting conditional leave to appeal, notwithstanding the appellant's compliance with the conditions imposed by such order, and may give such directions as to the costs of the Appeal and the security entered into by the appellant as the Court shall think fit, or make such further or other order in the premises as, in the opinion of the Court, the justice of the case requires.

34. On an application for final leave to appeal, the Supreme Court may inquire whether notice, or sufficient notice, of the application has been given by the appellant to all parties concerned, and, if not satisfied as to the notices given, may defer the granting of the final leave to appeal, or may give such other directions in the matter as, in the opinion of the Court, the justice of the case requires.

35. An appellant who has obtained final leave to appeal shall prosecute his Appeal in accordance with the rules for the time being regulating the general practice and procedure in Appeals to His Majesty in Council.

36. Where an appellant, having obtained final leave to appeal, desires, prior to the dispatch of the Record to England, to withdraw his Appeal, the Supreme Court may, upon an application in that behalf made by the appellant, grant him a certificate to the effect that the Appeal has been withdrawn and the Appeal shall thereupon be deemed, as from the date of such certificate, to stand dismissed without express Order of His Majesty in Council, and the costs of the Appeal and the security entered into by the appellant shall be dealt with in such manner as the Court may direct.

37. Where an appellant, having obtained final leave to appeal, fails to show due diligence in taking all necessary steps for the purpose of procuring the dispatch of the Record to England, the respondent may, after giving the appellant due notice of his intended application, apply to the Supreme Court for a certificate that the Appeal has not been effectually prosecuted by the appellant, and if the Court sees fit to grant such a certificate, the Appeal shall be deemed, as from the date of such certificate, to stand dismissed for non-prosecution without express Order of His Majesty in Council, and the costs of the Appeal and the security entered into by the appellant shall be dealt with in such manner as the Court may direct.

38. Where at any time between the order granting final leave to appeal and the dispatch of the Record to England the Record becomes defective by reason of the death, or change of status, of a party to the Appeal, the Supreme Court may, notwithstanding the order granting final leave to appeal, on an application in that behalf made by any person interested, grant a certificate showing who, in the opinion of the Court, is the proper person to be substituted or entered on the Record in place of, or in addition to, the party who has died, or undergone a change of status, and the name of such person shall thereupon be deemed to be so substituted or entered on the Record, as aforesaid, without express Order of His Majesty in Council.

39. Where the Record subsequently to its dispatch to England becomes defective by reason of the death, or change of status, of a party to the Appeal, the Supreme Court shall, upon an application in that behalf made by any person interested, cause a certificate to be transmitted to the Registrar of the Privy Council showing who, in the opinion of the Court, is the proper person to be substituted, or entered, on the Record, in place of, or in addition to, the party who has died or undergone a change of status.

40. The Case of each party to the Appeal may be printed either locally or in England, and shall, in either event, be printed in accordance with the rules in the Schedule to this Order, every tenth line thereof being numbered in the margin, and shall be signed by at least one of the counsel who attends at the hearing of the Appeal, or by the party himself if he conducts his Appeal in person.

41. The Case shall consist of paragraphs numbered consecutively, and shall state, as concisely as possible, the circumstances out of which the Appeal arises, the contentions to be urged by the party lodging the same, and the reasons of appeal. References by page and line to the relevant portions of the Record as printed shall, as far as practicable, be printed in the margin, and care shall be taken to avoid, as far as possible, the reprinting in the Case of long extracts from the Record. The taxing officer, in taxing the costs of the Appeal, shall, either of his own motion, or at the instance of the opposite party, inquire into any unnecessary prolixity in the Case, and shall disallow the costs occasioned thereby.

42. Where the Judicial Committee directs a party to bear the costs of an Appeal incurred in China, such costs shall be taxed by the proper officer of the Supreme Court in accordance with the rules for the time being regulating taxation in the Supreme Court.

43. The Supreme Court shall execute any Order which His Majesty in Council may think fit to make on an Appeal from a judgment of the Supreme Court in like manner as any original judgment of the Supreme Court should or might have been executed.

Consular Registers of Companies.

44. A register of companies incorporated or registered in the United Kingdom or in any British possession and carrying on business in China shall be kept in the office of every consulate in China.

45. The consulate at which companies shall be registered shall be that in the district of which their chief local office is situated, or their business is chiefly carried on, and notice shall be given at the consulate of any other district in which the company is also carrying on business as to the place at which the company is so registered.

46. On the registration of a company at a consulate there shall be deposited and filed in the office of the consulate a copy of the certificate of incorporation of the company, or other document corresponding thereto, a copy of the memorandum and articles of association or other documents corresponding thereto, a statement showing the nominal capital of the company, and the amounts thereof which have been subscribed and paid up respectively, and, if the company has been incorporated under a law which provides for the periodical filing of a list of the share-holders, a copy of the last liat so filed.

47. The consular officer shall, on the registration of a company at the consulate, issue to the person making the registration a certificate, signed and sealed with the consular seal, that the company has been so registered.

48. (1) Every company registered under this Order shall register the name and address of the manager or other chief local representative in China, and shall from time to time, as may be necessary, register any alteration of the representative of the company or in his address. Names and addresses so registered shall be open to the inspection of the public.

(2) Rules of Court made under article 119 of the Principal Order may provide that service of writs, notices, or other documents upon the person registered under this article, or at his address, shall be good service of such documents upon the company.

49. Registration of a company under this Order shall not require to be renewed annually, but may be renewed from time to time as the parties may desire, and must be renewed when any change takes place in the name of the company.

50. On every registration of a company under this Order, and on every renewal thereof, there shall be payable a fee of £1, and on every registration under article 41 there shall be payable a fee of 2*s*.

51. (1) A company shall not be entitled to be recognised or protected as a British company unless it is registered under this Order, but shall, although not so registered, be subject to the jurisdiction of His Majesty's Courts in China.

(2) Nothing in this article shall affect the right of the Secretary of State to direct that British protection shall not be accorded to a company, even though it has been registered under this Order.

Orders of a Court of Consuls.

52. (1) Where by agreement among the diplomatic representatives in China of foreign States, Regulations have been, or are, made for the establishment, control or procedure of a Court of Consuls, or other like Court, to deal with disputes or suits relating to the property or proceedings of any board, committee, association or other like group of persons which has been appointed for public purposes at any treaty port or foreign settlement or concession in China, and on which other nations besides Great Britain are represented, and such Regulations have been or are approved by the Secretary of State, the jurisdiction of the said Court shall not, so far as persons subject to the Principal Order are concerned, be deemed to conflict with article 6 of the Principal Order, and the Court shall enforce on all persons subject to its jurisdiction the orders and decrees of such Court of Consuls or other like Court.

(2) Regulations approved by the Secretary of State under this article shall be published in the same manner as King's Regulations.

53. (1) Articles 85, 86, 87, 115 and 116 of the Principal Order are hereby repealed, but such repeal shall not—

(a) Affect the past operation of such articles or any right, title, obligation, or liability thereunder; or

(b) Interfere with the institution or prosecution of any legal proceedings thereunder.

(2) Appeals in criminal cases and Appeals to His Majesty in Council commenced, under any articles hereby repealed, shall be continued so far as is practicable in accordance with this Order.

And the Right Honourable Sir Edward Grey, Baronet, K.G., one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein.

Almeric FitzRoy.

SCHEDULE.

1. Records and Cases in Appeals to His Majesty in Council shall be printed in the form known as Demy Quarto.

2. The size of the paper used shall be such that the sheet, when folded and trimmed, will be 11 inches in height and 8½ inches in width.

3. The type to be used in the text shall be pica type, but long primer shall be used in printing accounts, tabular matter, and notes.

4. The number of lines in each page of pica type shall be forty-seven or thereabouts and every tenth line shall be numbered in the margin.

J. B. WOOD,

Offg. Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 22, 1913.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

SALT.

Simla, the 22nd November, 1913.

No. 9922-16.—The services of Mr. J. F. Connolly, I.C.S., are replaced at the disposal of the Government of the Punjab, with effect from the 15th November 1913.

R. E. ENTHOVEN,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

ECCLESIASTICAL.

Simla, the 19th November, 1913.

No. 630.—The services of the Reverend H. G. England, Chaplain of Rawalpindi, are placed at the disposal of the Chief Commissioner of Delhi for employment as second Chaplain at Delhi, with effect from the 20th October 1913, or the subsequent date on which he assumes charge of his appointment.

L. C. PORTER,

Secretary to the Government of India.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

NOTIFICATION.

Simla, the 19th November, 1913.

No. 341.—It is hereby notified for general information that the Railway Board have sanctioned a reconnaissance survey being carried out by the agency of the Rohilkund and Kumaon Railway Company for a line of railway on the metre gauge from Kasganj Junction station to Rewari Station on the Bombay, Baroda and Central India Railway *via* Aligarh, Sholaka and Nuh, with a branch from Nuh to Delhi. This survey will be known as the Kasganj-Rewari Railway Reconnaissance Survey.

T. RYAN,

Offg. Secretary, Railway Board.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED NOVEMBER 22, 1913.

ALLOTMENT TO THE PROVINCES, OTHER THAN THE PRESIDENCIES OF MADRAS AND BOMBAY, OF THE GENTLEMEN APPOINTED TO THE INDIAN CIVIL SERVICE IN 1913.

Nos. 2574-2581.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

ESTABLISHMENTS.

Simla, the 19th November 1913.

RESOLUTION.

The undermentioned gentlemen recently appointed in England to the Indian Civil Service are under the orders of the Governor General in Council allotted to the provinces shown below against their names :—

* * * * * * *

Mr. Frederick Hale Puckle	Punjab.
" Ram Chandra	Punjab.
" Ronald Evelyn Leslie Wingate... ...	Punjab.
" Cuthbert King	Punjab.

* * * * * * *

3. The officers posted to the United Provinces should report themselves to the Chief Secretary to the Government of the United Provinces, Allahabad. Those posted to the Punjab should telegraph from Bombay to the Chief Secretary to the Government of the Punjab, Lahore, for orders as to their destinations, in the event of their not finding instructions awaiting their arrival. The officers posted to the Central Provinces should report by telegraph from Bombay their arrival to the Chief Secretary to the Chief Commissioner at Nagpur, by whom they will be instructed where to proceed.

ORDER.—Ordered that a copy of this Resolution be forwarded to the Governments of Bengal, Bihar and Orissa, the United Provinces, the Punjab, and Burma, and to the Honourable the Chief Commissioners of the Central Provinces and Assam, for information and guidance. Also that the Resolution be published in the Supplement to the *Gazette of India*, and that a copy be forwarded to each of the gentlemen named therein.

H. WHEELER,

Secretary to the Government of India.

2302 PGG—858—28-11-13—SGPP Lahore.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, DECEMBER 5, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED NOVEMBER 29, 1913.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Delhi, the 27th November 1913.

No. 2634.—Mr. A. Meredith, C.S.I., has been permitted to resign His Majesty's Indian Civil Service with effect from the 14th September 1913.

PUBLIC.

Delhi, the 29th November 1913.

No. 150-*C.*—In exercise of the power conferred by section 9 of the Indian Councils Act, 1861 (24 and 25 Vict., Cap 67), the Governor-General in Council is pleased to direct that the Council of the Governor-General shall assemble at Delhi.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATION.

(SANITARY.)

Simla, the 26th November 1913.

No. 1799.—Major S. R. Christophers, I.M.S., is appointed to act as Director, Central Research Institute, Kasauli, with effect from the 6th November 1913, during the absence on deputation of Major W. F. Harvey, I.M.S., or until further orders.

L. C. PORTER,

Secretary to the Government of India.

2180 PGG

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

(FORESTS.)

Delhi, the 28th November 1913.

No. 6-*C.*—On return from privilege leave, Mr. J. Copeland, Conservator, 1st grade, resumed charge of the Office of Conservator of Forests, Punjab and North-West Frontier Province, on the forenoon of 30th October 1913, the date on which he relieved Mr. W. Mayes, Officiating Conservator of Forests, 3rd grade.

From the same date Mr. W. Mayes reverted to his substantive appointment of Deputy Conservator of Forests on the Punjab cadre.

E. D. MACLAGAN,

Secretary to the Government of India.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

NOTIFICATION.

Simla, the 25th of November 1913.

No. 346.—The following is published for general information :—

No. 457-R. P.

GOVERNMENT OF INDIA.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

Simla, the 14th November 1913.

Terms on which the Government of India are prepared to consider offers for the construction by the Agency of private companies of branch lines forming feeders either to State lines worked by the State or to railways worked by companies.

RESOLUTION.—In supersession of all previous orders on the subject, the following information is published detailing the conditions on which the Government of India will be prepared to receive applications for the grant of financial assistance to companies formed to provide capital for the construction of such branch railways as Government may be prepared to entrust to companies. The terms offered have been made considerably more liberal in several respects.

2. No concession can be granted for the construction of a branch line until the line has been surveyed and detailed estimates of its cost and an adequate report on its traffic prospects have been prepared by an agency approved by the Government of India. When promoters are desirous that such a survey should be made an application should be submitted to the Railway Board in the form prescribed in memorandum B, attached.

3. The conditions on which concessions for the construction of branch lines will be granted are as follows :—

(*i*) The prospectus of the company to be formed for the purpose of providing capital for the line must be submitted to, and approved by, the Government of India before issue. The capital of the company must be expressed in rupees, and subscription must be invited only in India. The amount of capital to be raised will be subject to the approval of the Government of India, and the construction of the line will not be begun until the Government of India are satisfied that capital sufficient to meet the estimated expenditure has been subscribed.

(*ii*) The railway shall be built according to plans and estimates approved by the Government of India, and must conform to the fixed and moving dimensions for the time being prescribed. The gauge of the line, the route followed, the situation of stations, and details of a similar character shall be subject to the approval of the Government.

(iii) All land in British Territory which is, in the opinion of the Government of India, required for the construction of the line, will be provided free of charge, including land permanently or temporarily required for quarrying ballast, for brickfields, and similar purposes.

(iv) The results of existing surveys will be made available to persons applying for concessions under these rules. In cases where this is considered advisable by the Railway Board, fresh surveys will be made at the request of promoters inquiring into the probable prospects of any projected line on the understanding that no preferential claim to a concession for the construction of the line is thereby established. If permission be eventually given for the construction of any line, the cost of all surveys, whether special surveys or surveys previously made at the cost of or with the approval of Government, shall be included in the capital cost of the railway. The Government of India expressly disclaim all responsibility for the accuracy of any survey, plan, estimate, or other information supplied by them.

(v) Electric telegraphs and telegraphic appliances will be supplied and maintained by the Government of India at the charges and on the conditions in force for the time being for similar services on State Railways.

(vi) Railway materials for the construction of the branch line will be carried over railways owned and worked by the State at the special rates charged for similar materials belonging to State railways.

(vii) The Government of India will grant financial assistance to approved companies either in the shape of a guarantee of interest, or of a rebate to the branch line company from the net earnings of the main line from traffic interchanged with the branch. Assistance in the latter form can only be promised where the main line is worked by the State; but the Government of India will, in other cases, endeavour to arrange on behalf of the branch line company a similar agreement with the company working the parent line. A rebate and a guarantee of interest cannot be granted simultaneously in respect of the same branch line. In cases where the entire capital is raised by the issue of shares the following terms will apply :—

(a) *Guarantee of interest.*—The Government of India will be prepared to guarantee from the close of the period during which interest is payable out of capital interest at the rate of 3½ per cent. per annum on the approved paid-up share capital of the company to the end of the financial year in respect of which the dividend is declared, subject to the condition that all surplus profits which may be earned by the company after paying interest on the paid-up share capital at the rate of 5 per cent. shall be equally divided between the Government and the company. This guarantee, where given, will remain in force until the line is purchased by the Government. Any sums payable by the Government under the guarantee shall be payable in rupees.

(b) *Rebate.*—When the branch line connects with a railway owned and worked by the State, the Government of India will be prepared to allow the company in respect of and at the end of each financial year by way of rebate, such a sum, not exceeding in any year the net earnings (exclusive of earnings derived from the carriage of revenue stores) from traffic interchanged between such State railway and the branch line as shall, together with the net earnings of the branch line, make up an amount equal to interest at the rate of 5 per cent. per annum on the approved paid-up share capital of the company. This undertaking will be subject to the proviso that, when the net earnings of Company, without the assistance of a rebate, suffice to pay interest at a rate exceeding 5 per cent. on the paid-up share capital, the surplus shall be divided equally between the Government and the company. The payment of rebate shall commence at the close of the period during which interest is payable from capital. Payments on account will, subject to subsequent adjustment, be permissible at the end of each half-year. For the purpose of calculating the rebate, the net earnings of the main line from traffic interchanged with the branch will be assumed to bear the same proportion to the gross earnings of the main line from such traffic as the net earning of the whole main line system, including the branch, bear to the gross earnings of the whole system.

(*viii*) (*a*) If, in the case of a concession granted under either of the conditions of the foregoing paragraph, it be intended by the branch line company to construct and work the branch line itself, the amount to be spent each year on working expenses will be subject to the approval and sanction of the Government of India.

(*b*) In such cases the Government of India may from time to time appoint any one person to be a Director of the branch line company who shall be *ex officio* a member of all committees appointed by the Board of Directors of the company or by the company in relation to the undertaking or any other matter connected therewith, and shall have power to exercise at his discretion an absolute veto in all proceedings of the Board of Directors and shall not be removeable except by the Government of India and may act by a Deputy appointed by the Government of India.

(*c*) If a branch line company, which has been granted financial assistance under clause *vii* (*a*) above and permitted to work the railway by its own agency, be guilty of any breach of contract or of gross mismanagement, or if the working expenses of the railway exceed the gross earnings for six consecutive half-years, the Government of India may at any time, after giving six months' notice, assume the working of the railway by State or any other agency. If the working of the line is so assumed, the terms of working will be fixed by Government.

(*ix*) Where the main line is a railway owned and worked by the State, the main line administration will, if it is so desired, work the branch line for a percentage of the gross earnings of the branch. When the branch and main line are of the same gauge this percentage will usually be that obtaining on the whole system, including the branch, from time to time, but will not in any case exceed 50 per cent. of the gross earnings of the branch from all sources, and will include all charges on account of the use of the main line rolling stock subject to the condition that the company shall, if and when required to do so during the continuance of the working contract, bear the capital portion of the cost as stated by Government of strengthening the permanent way and bridges of the branch line to enable the rolling stock for the time being of the working railway to be used on it without restriction. Where the gauges are not the same, special working terms will be fixed in each case. When the main line is not worked by State agency, the Government of India, if desired to do so by the branch line company will, endeavour to negotiate similar terms for working with the main line administration.

(*x*) No capital expenditure by the branch line company shall be recognized, as between the Government of India and the company, unless the prior sanction of the Government of India to that expenditure has been obtained. The company shall have no power to increase its share or stock capital without the sanction of the Government of India or the Secretary of State, or to borrow money, otherwise than for purely temporary purposes, except on conditions to be specified by these authorities.

(*xi*) Any unexpended capital which the company may have shall be invested or deposited at interest in a manner to be approved by the Government of India and in the name of the company, not in that of the Managing Agents, and the return therefrom shall be treated as net earnings of the railway.

(*xii*) The branch line company, if so required, shall keep accounts in forms approved by the Government of India, and they shall supply, free of charge, all accounts required by the Government. The accounts will be subject to audit by officers appointed by the Government.

(*xiii*) Funds for the execution of new works chargeable to capital, which may be found to be necessary for the safety, economy, or efficiency of working after the branch railway has been open to public traffic, shall be provided by the branch line company. Such works, and their cost shall, when the branch railway is worked by the main line administration, be agreed upon between the branch line company and the main line administration before they are undertaken; in the event of any difference of opinion as to the necessity for, or the cost of, any such work, the matter shall be referred to the Railway Board, whose decision shall be final.

In the event of the branch line company failing to provide, after six months' notice any additional capital for work required under this condition or conditions (*ii*) and (*ix*) above, the Government of India shall be at liberty to supply the necessary funds, and to carry out the work, and shall be entitled to receive from the sums payable to the branch line company, by way of net earnings or rebate, interest at 5 per cent. (or any lower rate that it may in special cases agree to accept) on funds so applied.

(*xiv*) Subject to the law for the time being in force, payment out of capital will be sanctioned, during a period which may extend to the close of the half-year in which the railway shall have been opened throughout for public traffic, of such sums as, with the interim net earnings, shall be required to pay interest at a rate to be agreed upon on the paid-up capital of the company.

(*xv*) Such expenses on account of administration of the branch line company as the Government of India may sanction may be charged during construction to the capital account of the company, and with effect from the date on which the line is opened for traffic throughout will be charged as follows :—

(*a*) if the branch line company works its own line, as part of the working expenses of the line ;

(*b*) if the company's line is worked by the main line administration—

(1) when the net earnings do not suffice to pay interest at 5 per cent. (or suffice to pay only 5 per cent.) on the paid-up share capital of the company, as part of the working expenses to be met out of the stipulated percentage of the earnings of the branch taken by the working agency ;

(2) when the net earnings exceed 5 per cent. on the paid-up share capital of the company, as a first charge on surplus profits before division ; provided that, if the surplus profits are insufficient to meet the administration charges, the balance will be paid by the working agency out of the stipulated percentage of the earnings of the branch taken by it.

(*xvi*) The rates and arrangements in force on State railways as regards services rendered to other departments of State shall apply to the branch line. The branch line company shall also be liable when called on to provide, at such stations as may be ordered by Government, buildings for post office and quarters for post office staff at a charge not exceeding 7½ per cent. per annum on the capital cost of the said buildings and quarters.

(*xvii*) The Government of India reserve the right to fix and vary from time to time the classification of goods for tariff purposes, and the maximum and minimum rates for each class of goods and for passengers. They also reserve a general right of control in respect of the number and timing of trains.

(*xviii*) During the first year after opening of the branch line, or part thereof, the expenditure incurred on the maintenance of the line may be charged to capital.

(*xix*) Notwithstanding anything in the preceding clauses, expenditure due to extraordinary accidents and casualties, or to defects and their consequence in the construction of the line or in any part thereof, shall be met by the branch line company, in addition to the percentage of earnings payable to the main line as working expenses, and shall be charged against the branch line net earnings, or against capital, according to circumstances, in accordance with the general usage on Indian railways.

(*xx*) All agreements for lines constructed under these terms shall include a special purchase clause permitting the Government of India to purchase the lines at any time, after giving one year's notice, in the following cases :

(1) When the Government of India consider it desirable that the gauge of the branch line should be altered.

(2) When it is desired to convert the branch line into a line of through communication.

(3) When the Government of India desire to extend the branch line (without altering the gauge or making the line part of a through route), and the branch line company is unable or unwilling to supply the necessary capital for such extension.

In the event of a line being purchased under this clause, the price payable shall be 25 times the average net earnings (excluding payments on account of guarantee or rebate) during the three years preceding the purchase, or 115 per cent. of the capital expenditure on the line, whichever may be the greater. All payments shall be made on a rupee basis.

(*xxi*) The agreements shall also include an ordinary purchase clause permitting the Government of India to purchase the lines at the expiry of 30 years from the date on which the railway was declared open for traffic or at subsequent intervals of 10 years, subject to the condition that at least one year's previous notice of the intention to purchase has been given. The price payable on purchase under this clause shall be 25 times the average net annual earnings (excluding payments on account of guarantee or rebate) during the three years preceding the purchase, subject to a maximum of 120 per cent. and a minimum of 100 per cent. of the capital expenditure on the line at the time of purchase. All payments shall be made on a rupee basis.

4. Applications for concessions under these orders should be submitted in the forms prescribed by Memorandum A attached to this Resolution. Copies of the forms may be obtained on application to the Secretary to the Railway Board. Requests from promoters for information as regards existing surveys, or for new surveys—*vide* paragraph 3 (*iv*)—should be addressed to the Secretary to the Railway Board. Applications for new surveys should contain the information required by Memorandum B hereto attached.

The Secretary to the Government of Madras, Public Works Department, Railways.
The Secretaries to the Governments of Bombay, Bengal, Burma, the United Provinces of Agra and Oudh, the Punjab, and Bihar and Orissa, Public Works Department.
The Honourable the Resident at Hyderabad.
The Honourable the Resident in Mysore and Chief Commissioner, Coorg.
The Honourable the Chief Commissioner of the Central Provinces and Assam.
The Honourable the Agents to the Governor-General for Rajputana, Central India and Baluchistan.
The Honourable the Agent to the Governor-General and Chief Commissioner, North-West Frontier Province.
The Accountant-General, Railways.
The Bombay, Bengal, Bengal National, Upper India, Punjab, Karachi, Madras, Burma, Chittagong, Southern India, and Indian Chambers of Commerce and the Indian Merchants' Chamber and Bureau.

ORDER.—Ordered that this Resolution be forwarded for information to the Local Governments and Administrations, to the officers and to the Chambers of Commerce noted in the margin.

Ordered also that the Resolution be published for general information in the *Gazette of India.*

T. RYAN,

Offg. Secretary to the Railway Board.

Documents accompanying.

Enclosure No. I.—Memorandum A, for the guidance of persons or syndicates desirous of submitting proposals for the construction of branch or feeder railways, with form A and Appendix A.

Enclosure No. II.—Memorandum B, for the guidance of persons or syndicates desirous of having surveys made for branch or feeder lines of railway by the Railway Board.

Enclosure No. 1 (with Form A and Appendix A) to Government of India Resolution No. 457 R. P. of 1913.

MEMORANDUM A.

For the guidance of persons or syndicates desirous of submitting proposals for the construction of branch railways in India forming feeders either to State lines worked by State or to railways worked by companies.

1. All applications for leave to construct a branch or feeder railway in any part of British India are to be addressed to the Secretary to the Railway Board.

2. All such applications shall be printed, and shall be drawn up, as far as may be in Form A attached hereto and shall specify—

(a) the company, person, or syndicate by whom the application is preferred; the proposed amount of capital, the number of shares and the amount of each share;

(b) all the termini, together with the names of all the principal towns from through, into, or near which the railway is intended to be constructed, as well as the names of each civil division and district to be traversed by the proposed alignment;

(c) the length, so far as known, of the proposed railway;

(d) the gauge, the weight of rails, etc.;

(e) motive power to be employed;

(f) the maximum tolls, rates, and fares proposed to be charged on the projected railway;

(g) the proposals for working the railway when constructed; and if any agreement is under contemplation, or has been provisionally arranged with any existing Railway Administration under which the proposed line, when constructed, is to be leased out for working by such Railway Administration, the exact natures and terms of such agreement;

(h) the charges proposed by the applicants for floating the branch company;

(i) the charges proposed on account of the general administration of the branch company's affairs;

(j) any further information that may be required to enable Government to thoroughly understand the scope of the proposals.

3. Every such application shall be accompanied by a map to a scale of one mile to one inch, with the line of the proposed railway delineated thereon, so as to show its general course and direction, and also by an estimate as correct as may be of the works proposed to be authorised.

4. When the applicants draw up their own detailed plans and estimates, these documents are invariably to be prepared in strict accordance with the Rules for the preparation of railway projects issued under the authority of the Government of India; of which copies may be obtained on payment from the Superintendent of Government Printing, Calcutta.

5. If Government are prepared to entertain an application put forward in respect of a line that has already been surveyed, permission will be accorded on application to the Secretary to the Railway Board to inspect, at all reasonable hours, the detailed plans, sections, and estimates at the disposal of Government; and copies of such plans, sections and estimates will be furnished on payment of the cost of copying.

6. But in regard to all such information, statistics, plans, sections, or estimates, which may be furnished, it is to be recognised that the information thus offered to any person interested in the matter, is simply the best informatien of the kind at the disposal of Government, and that Government cannot accept any responsibility whatever in regard to the accuracy of any of the documents.

Form A.

To accompany all applications for leave to construct a branch or feeder railway in any part of British India.

	Nature of particulars to be specified.	Particulars.
1	The name of the company, person or persons by whom the application is preferred; the proposed amount of capital, the number of shares, and the amount of each share.	
2	The termini, together with the names of all the principal towns from, in, through, or into, or near which the railway is intended to be constructed.	
3	The length, as far as known, of the proposed railway.	
4	The gauge proposed and weight of rails, etc.	
5	The motive power to be employed.	
6	The maximum tolls, rates, and fares intended to be charged on the proposed railway.	*Reference to an Appendix* (vide *Appendix A*) *may be here given if necessary.*
7	Details of any agreement which may have been provisionally arranged, or which it is desired to enter into, under which the proposed line, when constructed, is to be leased out for working to any existing Railway Administration.	
8	The charges proposed by the applicants for floating the branch company.	
9	The charges proposed on account of the general administration of the branch company's affairs.	
10	Any further information that may be required to enable the Government of India to thoroughly understand the scope of the proposals.	

Appendix A.

Schedule of maximum and minimum rates and fares intended to be charged on the proposed branch railway.

Passenger fares—	Maximum. Pies per mile.	Minimum. Pies per mile.
1st class	...	...
2nd class	...	...
Intermediate class	...	...
3rd or lowest class	...	...

Carriages—	Maximum. Pies per mile.	Minimum. Pies per mile.
Single carriage...	...	...

	Maximum. Pies per truck.	Minimum. Pies per truck.
Two or more carriages on one truck	...	...

Horses—	Maximum. Pies per mile.	Minimum. Pies per mile.
Single horse	...	...

Dogs—	Maximum. Pies per 50 miles or portion thereof.	Minimum. Pies per 50 miles or portion thereof.
Each	...	...

Parcels and luggage—

If it is proposed to adopt the rates approved by the Indian Railway Conference Association, it will be sufficient to state this fact; otherwise the rates proposed should be stated.

Goods rates—	Maximum. Pies per maund per mile.	Minimum. Pies per maund per mile.
5th class	...	...
4th "	...	...
3rd "	...	...
2nd "	...	...
1st "	...	...
Special class	...	...
X class (Explosives, including dangerous goods)		

Enclosure No. II to Government of India Resolution No. 457-R. P. of 1913.

MEMORANDUM B.

Information to be supplied by persons or syndicates desirous of having surveys for branch or feeder lines of railway in India carried out at the cost of Government.

1. All such applications shall specify—

(a) the company, person, or syndicate by whom the application is preferred;

(b) all the termini, together with the names of all the principal towns from, through, into, or near which the survey is intended to be carried as well as the names of each civil division and district to be traversed by the proposed alignment;

(c) the length, so far as known, of the proposed railway;

(d) the gauge and the motive power to be employed;

(e) the intentions of the applicants as to the construction and working of the railway. If it is intended that the working shall be leased to any existing Railway Administration, the nature of the contemplated agreement shall be specified.

2. Every such application shall be accompanied by a map to a scale of one mile to one inch, with the line of the proposed survey delineated thereon, so as to show the general course and direction.

T. RYAN,

Offg. Secretary, Railway Board.

2380 PGG—861—5-12-13—SGPP Lahore.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

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LAHOR FRIDAY, DECEMBER 12, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 6, 1913.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Delhi, the 29th November 1913.

No. 2470.—The Governor-General in Council directs that the following shall be substituted for sub-rules (*a*) and (*b*) under Rule IV of the Rules regarding the use of uniform by officers in civil employ, which were published with the Home Department notification No. 3580-Public, dated the 6th September 1911:—

IV.—(*a*) A military officer who is appointed substantively to any civil office for which uniform is prescribed, shall wear the uniform of that office.

Exception.– Royal Engineer officers in civil employ, who are liable to recall to military duty and are required to maintain their military uniform, are not required to wear civil uniform but shall wear military uniform on all occasions when military officers wear uniform.

(*b*) On all State and other occasions when military officers wear uniform, military officers who are in permanent civil employ, but who do not hold an appointment which carries the right to wear civil uniform, may at their option wear either military uniform or plain clothes.

Exception.—Royal Engineer officers, officers of the Survey of India and Cantonment Magistrates wear military uniform on all occasions when military officers wear uniform.

H. WHEELER,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 3rd December 1913.

No. 3058-*Est. A.*—Malik Talib Nahdi Khan, Extra Assistant Commissioner, Punjab, and lately British Agent at Kabul, is placed on special duty under the Government of India in the Foreign Department for one month, with effect from the 4th November 1913.

J. B. WOOD,

Offg. Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 5th December 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

Punjab Light Horse.

No. 1002.—Herbert Aubrey Francis Metcalfe to be Second Lieutenant, to fill an existing vacancy. Dated the 14th October 1913.

2nd Battalion, North-Western Railway Volunteer Rifles.

No. 1008.—Major Richard William Anthony, M B , F.R.C.S.E., I.M.S., to be Medical Officer. Dated the 1st September 1913.

W. R. BIRDWOOD, *Major-General,*

Secretary to the Government of India.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

NOTIFICATIONS.

Simla, the 3rd December 1913.

No. 355.—It is notified for general information that the Railway Board have sanctioned the construction of a railway on the 5′ 6″ gauge from Mandra to Bhon, a distance of 46·5 miles, by the agency of the North-Western Railway on behalf of the Mandra-Bhon Railway Company.

The 4th December 1913.

No. 356.—It is hereby notified, for general information, that the Government of India have sanctioned surveys being carried out by the Patiala Durbar for the following lines of railways on the 2′ 6″ gauge, aggregating about 158 miles :—

From Patiala *viâ* Pihewa to Dhand.

" Sirhind *viâ* Sanghol to Roopar.

" Patiala to Sirhind.

" Samana *viâ* Sonam to Mansa.

" Samana to Ghuram.

" Chhintanwala to Amargarh.

These surveys will be known as the Patiala Feeder Railways Surveys.

T. RYAN,

Offg. Secretary, Railway Board.

BOARD OF EXAMINERS.

NOTICE.

The following list of Munshis who are qualified to teach Urdu, under India Army Order No. 162 of 1907, is published for the information of all those students of this language who are desirous of obtaining competent teachers :—

* * * * * * *

AMBALA.

1. M. Mohd. Miyan Khan ... ... Sudder Bazar, Ambala.
2. M. Mohd. Akbar Khan ... ... The Oriental Lodge, Ambala.
3. M. Jawala Prasad, II ... ... B. I. Bazar, Ambala.
4. M. Sita Ram, Mahta ... ... Near Kali Bari, Sadar Bazar, Ambala.
5. M. H. Ahmad Fakhriey ... ... Sadar Bazar, Ambala Cantonment.

AMRITSAR.

1. M. Mohd. Ishaq ... ... Khazana Gate, Amritsar.

* * * * * * *

CAMPBELLPORE.

1. M. Rahim Shah... ... ... R. A. Munshi, Campbellpore.

DALHOUSIE.

1. M. Abdur Rahim ... ... Regimental Munshi, 1st Lancashire Fusiliers, Balun Bazar, Dalhousie.

* * * * * * *

JHELUM.

1. M. Thakur Das Pahwa ... ... Officers' Munshi, Jhelum.

JULLUNDUR.

1. M. Har Bhagat Singh Bains ... Talhan, Jullundur Cantonment.

KASAULI.

1. M. Anand Sarup ... ... C/o Munshi Kashi Nath, Dagshai Hills, or Depôt, Kasauli.

LAHORE CANTT.

1. M. J. Kishori Lal ... ... R. A. Bazar, Lahore Cantt.
2. M. Sham Lal Bhargava ... ... Dangar Street, Sudder Bazar, Lahore Cantt.

* * * * * * *

MULTAN.

1. M. S. Karim Bakhsh ... ... Sadar Bazar, Multan Cantonment.

MURREE HILLS.

1. M. M. C. Saihgal ... ... 2nd Bn., King's Regiment, Lower Gharial, Murree Hills.

* * * * * * *

RAWALPINDI.

1. M. Ghulam Muhiuddin ... ... R. A. Brigade Munshi, Rawalpindi.
2. M. Ghulam Rasul ... ... Sudder Bazar, Rawalpindi.
3. M. Fazal Ahmed ... ... Persian House, Rawalpindi.

* * * * * * *

SUBATHU.

1. M. Gulzar Lal ... ... South Lancashire Regiment, Subathu.

C. L. PEART, CAPT.,

Secretary and Member, Board of Examiners.

2473 PGG—861—12-12-13—SGPP Lahore.

Government Gazette

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LAHORE FRIDAY, DECEMBER 19, 1913.

PART II.

Republications from the "Gazette of India."

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 6, 1913.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 4th December 1913.

No. 52-*E.*—Mr. C. D. Gee, Executive Engineer, Punjab, is attached to the Public Works Department of the Government of India Secretariat with effect from the 25th November 1913.

R. P. RUSSELL,

Secretary to the Government of India.

FROM THE "GAZETTE OF INDIA," DATED DECEMBER 13, 1913.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Delhi, the 12th December 1913.

No. 64.—In exercise of the power conferred by section 17 of the Indian Councils Act, 1861 (24 and 25 Vict., Cap. 67), the Governor-General in Council is pleased to appoint Tuesday, the 6th January 1914, at 11 A.M., as the time, and the Council Chamber in the Imperial Secretariat, Delhi, as the place, for a meeting of the Council of the Governor-General for the purpose of making Laws and Regulations.

W. H. VINCENT,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Delhi, the 5th December 1913.

No. 2665.—The services of Mr. M. H. Harrison, I.C.S., are replaced at the disposal of the Government of the Punjab, with effect from the 24th November 1913.

The 10th December 1913.

No. 2683.—The services of Mr. S. M. Jacob, I.C.S., are replaced at the disposal of the Government of the Punjab, with effect from the 1st November 1913.

JUDICIAL.

The 11th December 1913.

No. 304-C.—In exercise of the power conferred by section 4 of the Punjab Courts Act, 1884 (XVIII of 1884), the Governor-General in Council is pleased to make the following appointments in the Chief Court, Punjab, in the vacancy which will be caused by the retirement of the Hon'ble Sir A. H. S. Reid, Kt., Bar-at-Law, Chief Judge of that Court, on the 13th January 1914 :—

The Hon'ble Mr. A. Kensington, I.C.S., one of the Judges of the Chief Court, to be Chief Judge.

The Hon'ble Mr. W. Chevis, I.C.S., first temporary Additional Judge of the Chief Court, to be a Judge of that Court.

The Hon'ble Lieutenant-Colonel G. C. Beadon, second temporary Additional Judge of the Chief Court, to be first temporary Additional Judge of that Court.

Mr. H. Scott-Smith, I.C.S., a Divisional Judge in the Punjab, to be second temporary Additional Judge of the Chief Court.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATIONS.

MERCHANT SHIPPING.

Delhi, the 13th December 1913.

No. 10548-37.—In exercise of the power conferred by section 68 A. of the Inland Steam-vessels Act, VI of 1884, the Governor-General in Council is pleased to direct that in the section substituted for section 28 of the Inland Steam-vessels Act, VI of 1884, by clause 4 of the Notification in the Department of Commerce and Industry, No. 6155-28, dated the 17th August 1912, the following amendment shall be made, namely :—

In sub-section (2) clause (*b*) for the words "a person possessing a 1st or 2nd class Engine-driver's certificate", the words "a person possessing an Engine-driver's certificate" shall be substituted.

No. 10549-37.—In accordance with the provisions of section 47 of Act VI of 1884 (the Inland Steam-vessels Act), as amended up to date, the Governor-General in Council is pleased to declare that the following articles shall be deemed to be dangerous goods for the purposes of the Act :—

1. "Explosives" as defined in section 4, clause (1), sub-clauses (*a*) and (*b*), of the Indian Explosives Act, IV of 1884.

2. "Petroleum" as defined in section 2 of the Indian Petroleum Act, VIII of 1899, except petroleum required for use as fuel by the steam or motor-vessel carrying the same.

3. "Sulphuric acid".

Finance and Commerce Department Notification No. 3384 (Statistics and Commerce—Commerce and Trade—Merchant Shipping) dated Simla, the 7th October 1885, is hereby superseded.

R. E. ENTHOVEN,

Secretary to the Government of India.

ARMY DEPARTMENT.

Delhi, the 12th December 1913.

APPOINTMENTS.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 1011.—The following changes in officiating appointments are notified :—

Rank and name.	From	To	With effect from	REMARKS.
* *	* *	* *	* *	* *
Lieutenant-Colonel M. Stevens.	Officiating 2nd grade	3rd grade ...	23rd November 1913	Consequent on the return of Major F. S. Walker from leave ex-India.

FURLOUGH AND LEAVE.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 1013.—Major J. H. Peck, Indian Army, is granted combined leave out of India for one year, the first month being privilege leave, and the remainder leave on private affairs; with effect from the 7th March 1914, or subsequent date of availing.

W. R. BIRDWOOD, *Major-General,*

Secretary to the Government of India.

FROM THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED DECEMBER 13, 1913.

CIRCULAR No. 2-C.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

FORESTS.

REGULATIONS FOR APPOINTMENT OF PROBATIONERS TO INDIAN FOREST SERVICE.

Delhi, the 11th December 1913.

The following Regulations for the selection and training of probationers for the Indian Forest Service are published :—

INDIAN FOREST SERVICE.

Regulations as to the appointment of Probationers, 1914.

1. *Appointments.*—The Secretary of State for India in Council will, in the summer of 1914, make not less than five appointments of Probationers for the Indian Forest Service, provided that so many candidates are considered to be in all respects qualified.

In making these appointments, he will act with the advice of a Selection Committee.

2. *Applications for Appointment.*—Applications for appointment must be made on a printed form to be obtained from the Secretary, Revenue Department, India Office, Whitehall, London, S. W., and to be returned to him not later than **Wednesday, the 1st July 1914**. Candidates must be prepared, if called upon, to attend at the India Office, at their own expense, for a personal interview with the Selection Committee within three weeks from that date.

3. *Age Limit.*—Candidates must be not less than 19 but under 22 years of age on the 1st January 1914.

NOTE.—For the year 1914 only, candidates who have taken an honours course (or other course specified in paragraph 5) which, under the Regulations of the University, occupies four years, will be subject to the age limits which have hitherto been in force, viz., 19 and 23 on the 1st July of the year in which selection is made.

4. *Nationality, etc.*—Every candidate must be a natural-born subject of His Majesty. He must be prepared to give an undertaking, if selected, that he will not marry before he reaches India. If he does so, he will forfeit his appointment. He must be of good physique, and must produce evidence of character to satisfy the Secretary of State for India in Council that he is suited for the Indian Forest Service.

5. *Qualifications.*—Candidates must have obtained a degree *with Honours* in some branch of Natural Science* in a University of England, Wales, or Ireland, or have passed the Final Bachelor of Science Examination in Pure Science in one of the Universities of Scotland.† A degree in Applied Science will not be considered as fulfilling these conditions. Candidates will be required to produce evidence that they have a fair knowledge of either German or French.

Note.—Applications for appointment will be accepted from candidates who on the 1st July 1914 have already sat at an examination for a degree as mentioned above, but have not learned the result of the examination.

6. Should there be more candidates considered to be qualified in every respect than vacancies to be filled, the Secretary of State reserves the right to require them to pass a competitive examination conducted by the Civil Service Commissioners, on the results of which their final selection would depend. Particulars of this examination, which would be held in August, will be found in Appendix I.

7. *Medical Examination.*—Selected candidates will be required to undergo a strict examination by a Medical Board at the India Office, at which particular stress will be laid on good vision and hearing, and to satisfy the Secretary of State for India that they are physically fit for service in the Indian Forest Department (*see* Appendix VI).

Candidates who do not satisfy the Secretary of State for India that they are physically fit for appointment to the Indian Forest Service will not be admitted to the competitive examination mentioned in Regulation 6.

8. *Period of Probation.*—Before appointment to the Indian Forest Department, a probationer will be required :—

(*i*) to have obtained, either before selection as probationer, or within the period of two years' probation, the degree or diploma in Forestry at one of the Universities named in the margin* ;

*Cambridge, Oxford, or Edinburgh.

(*ii*) to have undergone a special course of instruction in Forestry, under the direction and supervision of the Director of Indian Forest Studies appointed by the Secretary of State for India in Council, in such British and Continental localities as may be selected for the purpose ;

(*iii*) to have passed an examination in certain special subjects, namely, Systematic Botany of Indian trees, Indian Geology, Forest Law, Indian Working Plans, and, if required, an Indian vernacular language ;

(*iv*) to have undergone a final competitive examination in Forestry (*see* Appendix II) ;

(*v*) to have satisfied the Secretary of State, in such manner as may be determined, of his ability to ride.

*A Moderatorship in Natural Science or in Experimental Science at the University of Dublin will be considered as fulfilling these conditions.

†Graduates in Forestry at the University of Edinburgh are regarded as satisfying the requirements of this paragraph if they pass the Final Examination of that University in some one branch of Natural Science embraced in the degree in Pure Science.

The period of probation will in ordinary cases be two years. The Director of Indian Forest Studies will instruct probationers in each case as to the order and manner in which they should fulfil these various requirements.

9. *Charges.*—The probationers will be required to defray all expenses of lodging, board, tuition, and excursions, while at the University, and on practical instruction in Great Britain and on the Continent, with the exception of fees payable to local forest officers in Great Britain and on the Continent.

10. *Allowances.*—The Secretary of State for India in Council will make payments to each probationer at the rate of 120*l.* annually, not exceeding a total of 240*l.* (besides the fees to local officers mentioned above). These payments will ordinarily be made on the following dates in each year :—

	£
On the 1st December	30
On the 1st March	30
On the 1st June	60

The cases of probationers whose probation does not extend over the full two years will be specially considered.

The grant of the allowances is subject to the following conditions :—

(*a*) that the progress of the probationer in his studies is satisfactory;

(*b*) that the probationer gives security to refund the payments in respect of this advance, as well as such payments, not exceeding 60*l.* in all, as may have been incurred by the Secretary of State on the probationer's behalf in respect of fees to local forest officers, in the event of his failing to qualify for an appointment in the Indian Forest Service, or not signing the articles of agreement as specified in paragraph 13, or failing to join the Indian Forest Service at the end of the period of probation.

11. *Conduct.*—Every Probationer will be required to conduct himself during the period of probation in a manner satisfactory to the Secretary of State and to give evidence of satisfactory progress in his studies in such a manner as may be required, failing which, or in the event of serious misconduct, he will be liable to have his name removed from the list of Probationers.

12. *Appointment and Seniority.*—Probationers who comply with the requirements of Regulation 8 within the sanctioned period of time, and also satisfy such other tests as may be prescribed, will be appointed Assistant Conservators in the Indian Forest Department, provided they are of sound constitution and free from physical defects which would render them unsuitable for employment in the Indian Forest Service. Their position in the provincial Forest Lists will be determined by the Secretary of State for India in Council on the report of the Director of Indian Forest Studies; but in making selections for the post of Conservator, officers joining the service in the same year are reckoned as equal in seniority unless the Secretary of State for India in Council shall for special reasons have directed otherwise in any particular case or cases.

Probationers will be allowed at the end of the period of probation to state their preference in respect to the Provinces to which they desire to be allotted ; but the distribution will be made to the several Provinces according to the needs of the public service, at the discretion of the Secretary of State for India in Council. Officers are, however, at all times liable to be transferred from one Province to another at the pleasure of the Government of India.

13. *Articles of Agreement.*—A probationer is required, on qualifying for appointment as Assistant Conservator, to sign articles of agreement setting forth the terms and conditions of his appointment ; he must embark for India when required to do so by the Secretary of State, and must engage his own passage. Failure to embark at the stated time will, in the absence of satisfactory explanation, lead to forfeiture of appointment.

14. *Passage allowance.*—An allowance on account of passage to India will be paid to a probationer on appointment to the Indian Forest Service, to the amount of 37*l.* 10*s.* for passage to Calcutta, Madras, or Bombay, and 43*l.* for passage to Rangoon.

Note.—The above is the normal rate of passage allowance. In consequence of the surtax of 10 per cent. at present charged by shipping companies in respect of passages to India the above rates of passage allowance have been raised to 41*l.* 5*s.* and 46*l.* 5*s.* respectively. Should this surtax be removed, these rates will be reduced to those given in paragraph 14.

2507 PGG

15. *Salary.*—An Assistant Conservator of Forests will draw pay at the rate of Rs 380 a month (equivalent to 304*l*. a year, when the rupee is at 1*s*. 4*d*.) from the date of his reporting his arrival in India.

16. *Promotion, Leave, Pension, and Provident Fund.*—Promotion, leave and pension will be governed by the Regulations laid down by the Government of India, and applicable to Forest officers, such regulations being subject to any modifications or alterations which may be made in them from time to time by the Government of India, and their interpretation in case of any doubt arising being left to that Government. A copy of the existing regulations can be seen on application at the India Office.

Certain information regarding appointments in the upper controlling staff of the Indian Forest Service, the pay of which has been recently improved, will be found in Appendix III; a summary of information regarding Leave is contained in Appendix IV; and regarding Pensions and the Provident Fund in Appendix V.

INDIA OFFICE,

October 1913.

APPENDICES.

APPENDIX I.—COMPETITIVE EXAMINATION.

In the event of the Civil Service Commissioners being requested by the Secretary of State for India in Council to hold an examination in any year of candidates nominated by him to compete for appointment as Probationers for the above Service, the following will be the subjects in which such candidates will be examined :—

		Maximum marks.			Maximum marks.
1.	English Composition ...	100	5.	Physics ...	100
2.	German *or* French ...	100	6.	Geology ...	100
3.	Elementary Chemistry ...	50	7.	Botany ...	100
4.	Higher Chemistry ...	100	8.	Zoology ...	100

Not more than three of the subjects numbered 4 to 8 may be offered.

Candidates must pass to the satisfaction of the Civil Service Commissioners in the first three subjects.

In the subjects numbered 4 to 8, only marks showing real attainment will be counted towards the order of merit, so that a candidate who has a thorough knowledge of one or two of the optional subjects may obtain on that knowledge alone as many marks as a candidate who offers the maximum number of the optional subjects on a lower standard.

SYLLABUS.

Languages.—The examination in German and French will include translation, composition, and conversation.

Sciences.—The standard of the examination in Higher Chemistry, Physics, Geology, Botany, and Zoology will be that of the Honours Schools of the Universities.

The examination in Elementary Chemistry will consist of a written paper on the more elementary parts of Inorganic Chemistry, together with the outlines of Organic Chemistry.

APPENDIX II.—FINAL EXAMINATION.

1. With a view to the allocation of the annual Currie Scholarship for Indian Forest Students (value about 35*l*.), and to facilitate the allotment of probationers to the several provinces in accordance with paragraph 12 of the Regulations as to appointments in the Indian Forest Service, probationers who have completed their prescribed course of training will be required to undergo a competitive final examination in Forestry.

2. A list of the probationers in order of merit will be prepared by adding together (*a*) the marks obtained at the final examination, and (*b*) the marks obtained during the course of the Practical training in forestry under the control of the Director of Indian Forest Studies. The maximum of marks obtainable under (*a*) will be the same as under (*b*).

3. The final examination will consist of an oral examination and three or more papers as follows :—

(i) One or more papers in Silviculture, Forest Protection (including Forest Botany and Forest Entomology), and Forest Utilisation (including Forest Engineering).

(ii) One or more papers in Forest Management, Forest Mensuration, Forest Valuation, and Forest Administration.

(iii) A paper in General Forestry (Practical) dealing with the work done and with the forests visited during the course of practical training.

4. The final examination will be held at the beginning of October. Arrangements as to the date and place of examination will be made by the Director of Indian Forest Studies. Probationers will not be required to pay any fee for the examination.

APPENDIX III.—LIST OF APPOINTMENTS OPEN TO MEMBERS OF THE IMPERIAL BRANCH OF THE INDIAN FOREST SERVICE.

NOTE.—*This list is liable to alteration at any time.*

Appointment.	Salary.
	Rs.
(a) 1 Inspector-General of Forests	2,650 a month.
(b) *1 Assistant Inspector-General of Forests	——
(c) 2 Chief Conservators (Burma and Central Provinces.)	2,150 „
(d) 22 Conservators, in three grades including President, Forest Research Institute and College.)	1,900 „ } 1,700 „ } respectively. 1,500 „ }
(e) 187 Deputy and Assistant Conservators. ...	‡Rs. 380 a month, rising by annual increments of Rs. 40 a month to Rs. 700 a month ; thereafter, by annual increments of Rs. 50 a month to Rs. 1,250 a month in the twentieth year of service.
Total 213†	
These appointments are included in (d) and (e). { 5 Foreign Service appointments	
§10 Officers employed at the Forest Research Institute and College, Dehra Dun ...	

APPENDIX IV.

[NOTE.—Appendices IV and V are intended merely to show the principal leave and pension rules in the Civil Service Regulations at present applicable to officers appointed to the Indian Forest Service by the Secretary of State from the United Kingdom without going into minute details, and do not profess to deal with every case that may arise. The rules are subject to alteration, and any disputed question must be decided with reference to the authorised text of the Civil Service Regulations for the time being.]

LEAVE.

Long Leave.

1. Furlough and special leave with allowances (*see* paragraph 5) are admissible to an aggregate maximum amount of six years during an officer's service. The amount of furlough "earned" is one-fourth of an officer's active service, and the amount "due" is that amount less any enjoyed.

2. Furlough without medical certificate can, if due, be generally taken after eight years' active service, and again after intervals of not less than three years' continuous service. It is limited to two years at a time.

---

*The officer holding this appointment draws in addition to the pay of his grade a minimum local allowance of Rs. 200 a month.

†These appointments are allotted to the various provinces as follows :—Burma, 66 ; Madras, 31 ; Bombay, 27 ; Central Provinces, 24 ; United Provinces, 19 ; Punjab, 12 ; Bengal, 12 ; Assam, 13 ; and Bihar and Orissa, 5 ; and 4 Imperial Instructors at Dehra Dun.

‡Until he has passed the prescribed Departmental examinations, an Assistant Conservator is liable to stoppage of increments of pay. On passing the examinations he will resume drawing pay under the time-scale at the rate to which his length of service entitles him.

§These draw a local allowance of Rs. 150 a month in addition to their grade pay, with the exception of the President, Forest Research Institute and College, in whose case the allowance is at the rate of Rs. 200 a month. Of these 10 appointments, the four posts of Imperial Instructors have been sanctioned for five years from 1912, for the present.

NOTE.—Under the improved scale of salary shown above, no Exchange Compensation Allowance is granted.

3. Furlough on medical certificate may be granted (*a*) to an officer who has rendered three years' continuous service, for not more than two years, but capable of extension up to three years; and (*b*) to an officer who has not rendered three years' continuous service, up to one year in any case, and up to such longer period, if any (but not exceeding two years in all), as the officer may have furlough "due" to him.

4. The allowances admissible during furlough are :—

(1) During the first two years of furlough without medical certificate and during so much of furlough with medical certificate as may be "due"—half average salary, subject to certain maximum and minimum limits.

(2) After the expiration of the period for which the foregoing allowances are admissible—one quarter of average salary, subject to certain maximum and minimum limits.

5. Special Leave may be granted at any time for not more than six months, with intervals of six years' service; allowances, calculated as during furlough, are given during the first six months only, whether taken in one or more instalments.

Short Leave.

6. Privilege Leave is a holiday which may be granted to the extent of one-eleventh part of the time that an officer has been on duty without interruption; and it may be accumulated up to three months, earned by 33 months' duty. During privilege leave, the officer retains a lien on his appointment, and receives the salary which he would have received if on duty. An interval of not less than six months must elapse between two periods of absence on privilege leave.

Privilege leave may be prefixed to furlough, special leave, or extraordinary leave without allowances. The whole period of leave thus taken in combination is known as combined leave. Combined leave may not be granted for a period of less duration than six months, nor, except on medical certificate, may it be extended beyond two years.

7. Subsidiary Leave in India for a minimum of 10 days, usually with half average salary, is granted to an officer proceeding on or returning from leave out of India, or on retirement, to enable him to reach the port of embarkation or to rejoin his appointment. It is admissible only at the end and not at the beginning of combined leave.

8. Short Leave is also granted to enable officers to appear at examinations, etc.

9. Extraordinary Leave without allowances may be granted in case of necessity, and, except in certain specified cases, only when no other kind of leave is by rule admissible. It may be granted in continuation of other leave.

General Rules.

10. Leave of absence can never be claimed as of right, and is given or refused at the discretion of Government.

11. When leave allowances other than privilege leave pay are paid at the Home Treasury, or in a Colony where the standard of currency is gold, rupees are converted into sterling at the rate of exchange fixed for the time being for the adjustment of financial transactions between the Imperial and Indian Treasuries, unless any other rate has been exceptionally authorised. But for the present the rate of conversion is subject to a minimum of 1*s*. 6*d*. to the rupee. Privilege Leave pay when issued from the Home Treasury (this is only admissible when privilege leave is combined with other leave) is converted at 1*s*. 4*d*. to the rupee.

APPENDIX V.

(*See Note under Appendix IV.*)

PENSIONS AND PROVIDENT FUND.

1. An officer of the Indian Forest Service is eligible for a pension on voluntary retirement after completing 20 years' qualifying service or attaining the age of 55 years. If at an earlier date he is compelled to retire from the service through ill-health, not occasioned by irregular or intemperate habits, he becomes eligible for an invalid pension or a gratuity according to the length of his service.

The amount of pension or gratuity is regulated as follows :—

After a service of less than 10 years, an invalid gratuity not exceeding one month's emoluments for each completed year of service.

After a service of not less than 10 years, an invalid pension not exceeding the following amounts :—

Years of Completed Service.		Maximum Limit of Pension.
10	...	Rs. 1,000 a year.
11	...	1,400 "
12	...	1,800 "
13	...	2,200 "
14	...	2,600 "
15, 16, 17, 18, 19	...	3,000 "

After a service of not less than 20 years, a retiring pension not exceeding the following amounts :—

Years of Completed Service.	Scale of Pension. Sixtieths of Average Emoluments.	Maximum Limit of Pension.
20 to 24	30	Rs. 4,000 a year.
25 and above		5,000 "

Officers who have shown special energy and efficiency during an effective service of three years as Inspector-General of Forests or Conservator may, at the discretion of the Government of India, be allowed an additional pension of Rs. 1,000 a year, subject to the condition that the officer must not retire voluntarily before the completion of a total qualifying service of 28 years.

Subject to certain prescribed conditions, rupee pensions are now issued to pensioners residing in countries where the Indian rupee is not legal tender at the rate of exchange of 1*s*. 9*d*. the rupee.

2. A General Provident Fund has also been established on the following basis :—

(*a*) The contribution is compulsory up to 6¼ per cent. on salaries, with voluntary contributions of not more than a further 6¼ per cent. Subscriptions on leave of any kind are optional.

(*b*) Compound interest on such payments is annually credited by Government to each officer subscribing, the rate being at present 4 per cent. per annum.

(*c*) The sum which thus accumulates to the credit of an officer is his absolute property, subject to the rules of the Fund, and is handed over to him, unconditionally, on quitting the service ; or, in the event of his death before retirement, to his legal representatives or such other person or persons as, under and subject to the rules of the Fund for the time being in force, may be entitled thereto.

(*d*) Other forms of life insurance will, however, if they fulfil certain conditions, be accepted in lieu of the contributions in (*a*).

APPENDIX VI.

GENERAL PHYSICAL REQUIREMENTS.

[*Note.*—These Regulations are published for the convenience of candidates and in order to enable them to ascertain the probability of their coming up to the required physical standard. But it must be clearly understood that the Secretary of State reserves to himself an absolute discretion to reject as unfit any candidate whom he may consider, after hearing the opinion of his medical advisers, to be physically disqualified for the public service ; and that his discretion is in no respect limited by these Regulations.]

1. A candidate must be in good mental and bodily health, and free from any physical defect likely to interfere with efficient performance of duty.

2. In the examination of candidates the Medical Board will apply the following table of correlation of age, height, and chest girth :—

Age.	Height without Shoes.	Chest.	
		Girth when expanded.	Range of Expansion.
	Inches.	Inches.	Inches.
19 to 20	62½ and under 65	35	2
	65 " 68	35	2
	68 " 70	33½	2
	70 " 72	36	2
	72 and upwards.	36½	2½
21 and upwards ...	62½ and under 65	35	2
	65 " 68	35½	2
	68 " 70	36	2
	70 " 72	36½	2½
	72 and upwards.	37	2½

3. *Measurement of Height.*—The candidate will be placed against the standard with his feet together, and the weight thrown on the heels, and not on the toes or outside of the feet. He will stand erect without rigidity, and with the heels, calves, buttocks, and shoulders touching the standard ; the chin will be depressed to bring the vertex of the head level under the horizontal bar, and the height will be noted in parts of an inch to eighths. No fixed limit of height is imposed.

4 *Measurement of Chest.*—The candidate will be made to stand erect with his feet together, and to raise his hands above his head. The tape will be carefully adjusted round the chest, the posterior upper edge touching the inferior angles of the shoulder blades, and its anterior lower edge the upper part of the nipples. The arms will then be lowered to hang loosely by the side, and care will be taken that the shoulders are not thrown upwards or backwards so as to displace the tape. The candidate will then be directed to empty his chest of air as much as possible. This is best done by continuous whistling with the lips as long as sound can be produced The tape is carefully gathered in during the process, and when the minimum measurement is reached it is recorded. The candidate will then be directed to inflate his chest to its utmost capacity. This maximum measurement will likewise be noted. The girth with the chest fully expanded and the range of expansion between the minimum and the maximum will then be recorded.

5. The hearing must be good.

6. The speech without impediment.

7. The teeth in good order, *i.e.*, decayed or broken teeth must be properly stopped or crowned, and deficient teeth replaced by artificial teeth where necessary for effective mastication.

8. The chest must be well formed, the lungs and heart sound.

9. Rupture, hydrocele, varicocele varicose veins in a severe degree, or other condition likely to cause inefficiency will disqualify a candidate, unless such condition is cured by operation.

10. The limbs, feet, and toes must be well formed and developed, with free and perfect motion of all the joints.

11. A candidate must have no congenital malformation or defect likely to interfere with efficiency.

12. A candidate must not be the subject of chronic skin disease.

13. Evidence of previous acute or chronic disease pointing to an impaired constitution will disqualify.

14. Candidates may, not more than two years before they are qualified to compete for an appointment, undergo a preliminary examination by the Medical Board, which meets at the India Office every Tuesday, under the following conditions :—

(*a*) Applications must be addressed to the Under-Secretary of State, India Office, Whitehall, London, accompanied by a fee of two guineas, and a statement of the candidate's age.

(b) Candidates must pay their travelling expenses.

(c) Candidates considered to be unfit by the Medical Board at this preliminary examination are not bound to accept its opinion, but may, *at their own risk*, continue their studies, with the knowledge that they will have to submit themselves for a final medical examination by the Medical Board, prior to their appointment.

(d) On the other hand it must be distinctly understood that the preliminary examination by the Medical Board is held solely for the candidate's information, and that, if after that examination he is reported to be apparently fit, he has not on that account any claim to be accepted as physically fit, when he presents himself for the final Medical examination, upon which alone his acceptance or rejection will depend. Candidates may be considered fit for the service at the preliminary examination, but may be found at the final examination to be unfit, either on account of some physical defect which did not exist or passed undetected at the preliminary examination, or for other reasons.

REGULATIONS AS TO THE STANDARD OF VISION FOR THE INDIAN FOREST SERVICE.

1. If myopia in one or both eyes exists, a candidate may be passed, provided the ametropia does not exceed 2·5 D, and if with correcting glasses, not enceeding 2·5 D, the acuteness of vision in one eye equals $\frac{6}{9}$, and in the other $\frac{6}{6}$, there being normal range of accommodation with the glasses.

2. Myopic astigmatism does not disqualify a candidate for service, provided the lens or the combined spherical and cylindrical lenses required to correct the error of refraction do not exceed—2·5 D; the acuteness of vision in one eye, when corrected, being equal to $\frac{6}{6}$, and in the other eye $\frac{6}{9}$, together with normal range of accommodation with the correcting glasses, there being no evidence of progressive disease in the choroid or retina.

3. A candidate having total hypermetropia not exceeding 4 D is not disqualified, provided the sight in one eye (when under the influence of atropine) equals $\frac{6}{9}$, and in the other eye equals $\frac{6}{6}$, with + 4 D or any lower power.

4. Hypermetropic astigmatism does not disqualify a candidate for the service, provided the lens or combined lenses required to cover the error of refraction do not exceed 4 D, and that the sight of one eye equals $\frac{6}{9}$ and of the other $\frac{6}{6}$, with or without such lens or lenses.

5. A candidate having a defect of vision arising from nebula of the cornea is disqualified if the sight of one eye be less than $\frac{6}{12}$. In such a case the better eye must be emmetropic. Defects of vision arising from pathological or other changes in the deeper structures of either eye, which are not referred to in the above rules, may exclude a candidate for admission into the service.

6. Squint, or any morbid condition, subject to the risk of aggravation or recurrence, in either eye, may cause the rejection of a candidate. The existence of imperfection of colour sense will be noted on the candidate's papers.

ORDERED that a copy of the foregoing Regulations be forwarded for information to the Local Governments and Administrations noted in the margin, the Inspector-General of Forests and the Comptroller, India Treasuries. Also that the Regulations be published in the Supplement to the *Gazette of India*.

The Secretary to the Government of Madras, Revenue Department.
" Chief Secretary to the Government of Bombay, Revenue Department.
" Secretary to the Government of Bengal, Revenue Department.
" Chief Secretary to the Government of the United Provinces.
" Chief Secretary to the Government of the Punjab.
" Revenue Secretary to the Government of Burma.
" Chief Secretary to the Government of Bihar and Orissa, Revenue Department.
" Honourable the Chief Commissioner of Assam.
" Honourable the Chief Commissioner of the Central Provinces.
" Chief Commissioner of Coorg.
" Chief Commissioner of Ajmer.
" Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan.
" Honourable the Chief Commissioner and Agent to the Governor-General in the North-West Frontier Province.
" Superintendent of Port Blair.
" Chief Commissioner, Delhi Province.

E. D. MACLAGAN,

Secretary to the Government of India.

For office use only.	
No.	INDIAN FOREST SERVICE.
Ack	

FORM TO BE FILLED UP BY CANDIDATES FOR APPOINTMENT AS PROBATIONER, 1914.

No person will be considered as a Candidate from whom the Secretary, Revenue Department, India Office, Whitehall, London, S. W., shall not have received, on or before Wednesday, the **1st July 1914** *at latest, an application on this form.*

If Candidates who fill up and return the Application Form do not receive an acknowledgment of it within four complete days, they should communicate with the Secretary, Revenue Department.

INDIA OFFICE,

October 1913.

1	Name in full.
2	Address. (*Any alteration to be notified to the Secretary, Revenue Department, India Office, Whitehall, London, S. W.*)
3	Date and place of Birth. (*In the event of the Candidate's selection, he will be required to produce a Birth Certificate or other satisfactory evidence of age.*)
4	Profession or occupation, and nationality, of Father.

5 The names of any near relatives who have been, or are now, in the service of the Indian Government, and the appointments at present, or immediately before retirement or decease, held by them.

6 All Institutions where educated, with dates, distinguishing whether or not the Candidate was in residence at such Institutions.

From *to*

at

From *to*

at

From *to*

at

From *to*

at

7 Whether trained at the public expense in any Training College in England and Wales.

8	The Candidate should insert here full information with regard to his qualifications under paragraph 5 of the Regulations.
9	Whether married or single (*see* paragraph 4 of Regulations).
10	Names and Addresses of three persons (of whom at least one should be connected with the Institution at which the Candidate has last studied) who will testify, if applied to, as to conduct and character during the last four years. (*References will not be accepted from persons who are related to or have no personal knowledge of the Candidate.*)

11	Whether the Candidate has previously applied, either in England or in India, for an appointment under the Government of India.

*Signature of Candidate*____________________

*Date*____________________

2507 PGG—862—19-12-13—SGPP Lahore.

Government Gazette
PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE FRIDAY, DECEMBER 26, 1913.

PART II.

Republications from the "Gazette of India."

Nil.

569 PGG

2569 PGG—869—26-12-13—SGPP Lahore.

INDEX

TO

Punjab Government Gazette

FOR HALF YEAR ENDING

30th June 1913.

PART IV.

INDEX

TO

Punjab Government Gazette

FOR HALF YEAR ENDING

31st December 1913.

PART IV.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MARCH 7, 1913.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of the Governor General on the 27th February 1913, and is hereby promulgated for general information:—

ACT. No. I OF 1913.

An Act to amend the Indian Extradition Act, 1903.

WHEREAS it is expedient to amend the Indian Extradition Act, 1903; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Indian Extradition (Amendment) Act, 1913.

Amendment of section 7, Act XV, 1903.

2. (*1*) In sub-section (*1*) of section 7 of the Indian Extradition Act, 1903, after the words "such person is believed to be," the words "or if such person is believed to be in any Presidency-town to the Chief Presidency Magistrate of such town" shall be inserted.

(*2*) In sub-section (*2*) of the same section after the words "accused person when arrested shall" the words "be produced before the District Magistrate or Chief Presidency Magistrate, as the case may be, who shall record any statement made by him; such accused person shall then" shall be inserted.

(*3*) In sub-section (*3*) of the same section after the words "District Magistrate", the words "or Chief Presidency Magistrate" shall be inserted.

Addition of new section after section 8, Act XV, 1903.

3. After section 8 of the said Act the following section shall be inserted, namely:—

Power to report case for orders of Local Government.

"8A. Notwithstanding anything contained in section 7, sub-section (2) or in section 8, when an accused person arrested in accordance with the provisions of section 7 is produced before the District Magistrate or Chief Presidency Magistrate, as the case may be, and the statement (if any) of such accused person has been recorded, such Magistrate may, if he thinks fit, before proceeding further report the case to the Local Government and, pending the receipt of orders on such report, may detain such accused person in custody or release him on his executing a bond with sufficient sureties for his attendance when required."

W. H. VINCENT,

Secretary to the Government of India.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of the Governor General on the 22nd February 1913, and is hereby promulgated for general information:—

ACT No. I OF 1913.

An Act to amend the Indian Extradition Act, 1903.

WHEREAS it is expedient to amend the Indian Extradition Act, 1903; It is hereby enacted as follows:—

Short title. 1. This Act may be called the Indian Extradition (Amendment) Act, 1913.

Amendment of section 7, Act XV, 1903. 2. (1) In sub-section (1) of section 7 of the Indian Extradition Act, 1903, after the words "such person is believed to be," the words "or if such person is believed to be in any Presidency-town to the Chief Presidency Magistrate of such town," shall be inserted.

(2) In sub-section (2) of the same section after the words "accused person when arrested shall" the words" be produced before the District Magistrate or Chief Presidency Magistrate, as the case may be, who shall record any statement which he may [illegible] such accused person shall [illegible] inserted.

(3) In sub-section (3) of the same section, for the words "District Magistrate" the words "District Magistrate or Chief Presidency Magistrate" shall be inserted.

Addition of new section after section 9, Act XV, 1903. 3. After section 9 of the said Act the following section shall be inserted, namely:—

Power to grant bail in cases of Local Government. "9A. Notwithstanding anything contained in sections [illegible] [illegible] with the provisions [illegible] produced before the District Magistrate or Chief Presidency Magistrate, as the case may be, and the statement, if any, of such accused person has been recorded, such Magistrate may, if he thinks fit, before reporting [illegible] and pending the orders of the Local Government on such report, may direct the release of such accused person on his executing a bond with sufficient sureties for attendance when required."

W. H. VINCENT,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of the Governor General on the 27th February, 1913, and is hereby promulgated for general information:—

ACT NO. II OF 1913.

THE OFFICIAL TRUSTEES ACT, 1913.

CONTENTS.

An Act to consolidate and amend the Law constituting the office of Official Trustee.

WHEREAS it is expedient to consolidate and amend the law constituting the office of the Official Trustee; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title, extent and commencement.

1. (*1*) This Act may be called the Official Trustees Act, 1913.

(*2*) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas, and applies also to all British and Indian subjects of His Majesty in the territories of Native States in India.

(*3*) It shall come into force on such date as the Governor General in Council, by notification in the Gazette of India, may direct.

Interpretation clause.

2. In this Act unless there is anything repugnant in the subject or context,—

(*1*) "Government" means the Governor General in Council, so far as the Act relates to the Presidency of Bengal, and the Local Governments of Madras and Bombay, respectively, so far as the Act relates to those Presidencies:

(*2*) "High Court" means His Majesty's High Courts of Judicature at Fort William in Bengal, Madras and Bombay, respectively, in the exercise of their original civil jurisdiction.

(*3*) "Official Gazette" means, in the case of the Presidency of Bengal, the Gazette of India, in the case of the Presidency of Madras, the Fort St. George Gazette, and in the case of the Presidency of Bombay, the Bombay Government Gazette:

(*4*) "Prescribed" means prescribed by rules under this Act:

(*5*) (*a*) "Presidency of Bengal" includes the territories for the time being under the government of the Governor of Fort William in Bengal in Council, the United Provinces of Agra and Oudh, the Provinces of the Punjab, Burma, Bihar and Orissa, the Central Provinces, Assam, the North-West Frontier Province, the Province of Delhi, Ajmer and Merwara, the Andaman and Nicobar Islands, and such of the territories of any Native State as the Governor General in Council may by notification in the Gazette of India direct,

(*b*) "Presidency of Bombay" includes the territories for the time being under the government of the Governor of Bombay in Council, the Province of British Baluchistan, and such of the territories of any Native State as the Governor General in Council may by notification in the Gazette of India direct,

(*c*) "Presidency of Madras" includes the territories for the time being under the government of the Governor of Fort St. George in Council, the Province of Coorg, and such of the territories of any Native State as the Governor General in Council may by notification in the Gazette of India direct.

(*6*) "Presidency" means any of the Presidencies mentioned in clause (*5*).

Extent of jurisdiction of High Courts.

3. For the purposes of this Act the High Court at a Presidency-town shall have jurisdiction throughout the Presidency.

PART II.

THE OFFICE OF OFFICIAL TRUSTEE.

Official Trustees.

4. (*1*) In each of the Presidencies of Bengal, Madras and Bombay, the Government shall appoint an Official Trustee.

(*2*) No person shall be appointed to the office of Official Trustee of any of the said Presidencies who is not—

(*a*) a Barrister; or

(*b*) an Advocate, Attorney or Vakil enrolled by a High Court; or

(*c*) a person holding the office of Deputy Administrator General at the commencement of this Act.

(*3*) The said Official Trustees shall be called respectively, the Official Trustee of Bengal, the Official Trustee of Madras and the Official Trustee of Bombay.

Appointment and powers of Deputy Official Trustee.

5. The Government may appoint a Deputy or Deputies to assist the Official Trustee; and any Deputy so appointed shall, subject to the control of the Government and the general or special orders of the Official Trustee, be competent to discharge any of the duties and exercise any of the powers of the Official Trustee, and when discharging such duties or exercising such powers shall have the same privileges and be subject to the same liabilities as the Official Trustee.

Official Trustee to be corporation sole, to have perpetual succession and official seal, and to sue and be sued in his corporate name.

6. The Official Trustee shall be a corporation sole by the name of the Official Trustee of the Presidency for which he is appointed and, as such Official Trustee, shall have perpetual succession and an official seal, and may sue and be sued in his corporate name.

PART III.

RIGHTS, POWERS, DUTIES AND LIABILITIES OF OFFICIAL TRUSTEE.

General powers and duties of Official Trustee.

7. (*1*) Subject to, and in accordance with, the provisions of this Act and the rules made thereunder, the Official Trustee may, if he thinks fit,—

(*a*) act as an ordinary trustee;

(*b*) be appointed trustee by a Court of competent jurisdiction.

(2) Save as hereinafter expressly provided, the Official Trustee shall have the same powers, duties and liabilities and be entitled to the same rights and privileges and be subject to the same control and orders of the Court as any other trustee acting in the same capacity.

(3) The Official Trustee may decline, either absolutely or except on such conditions as he may impose, to accept any trust.

(4) The Official Trustee shall not accept any trust under any composition or scheme of arrangement for the benefit of creditors, nor of any estate known or believed by him to be insolvent.

(5) The Official Trustee shall not, save as provided by any rules made under this Act, accept any trust for a religious purpose or any trust which involves the management or carrying on of any business.

(6) The Official Trustee shall not administer the estate of a deceased person, unless he is expressly appointed sole executor of, and sole trustee under, the will of such person.

(7) The Official Trustee shall always be sole trustee, and it shall not be lawful to appoint the Official Trustee to be trustee along with any other person.

Official Trustee may with consent be appointed trustee of settlement by grantor.

8. (1) Any person intending to create a trust other than a trust which the Official Trustee is prohibited from accepting under the provisions of this Act may by the instrument creating the trust and with the consent of the Official Trustee, appoint him by that name or any other sufficient description to be the trustee of the property subject to such trust:

Provided that the consent of the Official Trustee shall be recited in the said instrument and that such instrument shall be duly executed by the Official Trustee.

(2) Upon such appointment the property subject to the trust shall vest in such Official Trustee, and shall be held by him upon the trusts declared in such instrument.

Appointment of Official Trustee as trustee by will.

9. When the Official Trustee has by that name or any other sufficient description been appointed trustee under any will, the executor of the will of such testator or the administrator of his estate shall, after obtaining probate or letters of administration, notify in the prescribed manner the contents of such will to such Official Trustee; and, if such Official Trustee consents to accept the trust, then upon the execution by such executor or administrator of an instrument in writing transferring the property subject to the trust to the Official Trustee, such property shall vest in such Official Trustee, and shall be held by him upon the trusts expressed in the said will:

Provided that the consent of the Official Trustee shall be recited in the said instrument and that such instrument shall be duly executed by the Official Trustee.

Power of High Court to appoint Official Trustee to be trustee of property.

10. (1) If any property is subject to a trust other than a trust which the Official Trustee is prohibited from accepting under the provisions of this Act, and there is no trustee within the local limits of the ordinary or extraordinary original civil jurisdiction of the High Court willing or capable to act in the trust, the High Court may on application make an order for the appointment of the Official Trustee by that name with his consent to be the trustee of such property.

(2) Upon such order such property shall vest in the Official Trustee and shall be held by him upon the same trusts as the same was held previously to such order, and the previous trustee or trustees (if any) shall be exempt from liability as trustees of such property save in respect of acts done before the date of such order.

(3) Nothing in this section shall be deemed to affect the provisions of the Trustees' and Mortgagees' Powers Act, 1866, or the Indian Trusts Act, 1882. XXVIII of 1866. II of 1882.

Power of private trustees to appoint Official Trustee to be trustee of property.

11. (1) If any property is subject to a trust other than a trust which the Official Trustee is prohibited from accepting under the provisions of this Act, and all the trustees or the surviving or continuing trustee or trustees and all persons beneficially interested in the trust are desirous that the Official Trustee shall be appointed in the room of such trustee or trustees, it shall be lawful for such trustee or trustees, by an instrument in writing to appoint the Official Trustee by that name or any other sufficient description with his consent to be the trustee of such property:

Provided that the consent of the Official Trustee shall be recited in the said instrument and that such instrument shall be duly executed by him.

(2) Upon such appointment such property shall vest in the Official Trustee and shall be held by him upon the same trusts as the same was held previously to such appointment, and the previous trustee or trustees shall be exempt from all liability as trustees of such property save in respect of acts done before the date of such appointment.

Executor or administrator may pay to Official Trustee legacy, share, etc., of infant or lunatic.

12. (1) If any infant or lunatic is entitled to any gift, legacy or share of the assets of a deceased person, it shall be lawful for the person by whom such gift is made, or executor or administrator by whom such legacy or share is payable or transferable, or any trustee of such gift, legacy or share, to transfer the same by an instrument in writing to the Official Trustee by that name or any other sufficient description with his consent:

Provided that the consent of the Official Trustee shall be recited in the said instrument and that such instrument shall be duly executed by the Official Trustee.

(2) Any money or property transferred to the Official Trustee under this section shall vest in him and shall be subject to the same provisions as are contained in this Act as to other property vested in such Official Trustee.

Official Trustee not to be required to give bond or security.

13. (1) No Official Trustee shall be required by any Court to enter into any bond or security on his appointment in any capacity under this Act.

(2) No Official Trustee or Deputy Official Trustee shall be required to verify otherwise than by his signature any petition presented by him under the provisions of this Act, and if the facts stated in any such petition are not within the Official Trustee's personal knowledge, the petition may be verified and subscribed by any person competent to make the verification.

14. The entry of the Official Trustee by that name in the books of a company shall not constitute notice of a trust; and a company shall not be entitled to object to enter the name of the Official Trustee on its register by reason only that the Official Trustee is a corporation; and, in dealing with property, the fact that the person dealt with is the Official Trustee shall not of itself constitute notice of a trust.

Entry of Official Trustee not to constitute notice of a trust.

15. (*1*) The revenues of the Government of India shall be liable to make good all sums required to discharge any liability which the Official Trustee, if he were a private trustee, would be personally liable to discharge, except when the liability is one to which neither the Official Trustee nor any of his officers has in any way contributed or which neither he nor any of his officers could by the exercise of reasonable diligence have averted, and in either of those cases the Official Trustee shall not, nor shall the revenues of the Government of India, be subject to any liability.

Liability of Government.

(*2*) Nothing in sub-section (*1*) shall be deemed to render the revenues of the Government of India or any Official Trustee appointed under this Act liable for anything done by or under the authority of any Official Trustee before the commencement of this Act.

V of 1908. **16.** Nothing in section 80 of the Code of Civil Procedure, 1908, shall apply to any suit against the Official Trustee in which no relief is claimed against him personally.

Notice of suit not required in certain cases.

PART IV.

FEES.

17. (*1*) There shall be charged in respect of the duties of the Official Trustee such fees, whether by way of percentage or otherwise, as the Government may prescribe:

Fees.

Provided that in the case of a trust accepted by the Official Trustee before the commencement of this Act the fees prescribed under this section shall not exceed the fees leviable in respect of such
XVII of 1864. trust under the Official Trustees Act, 1864, as subsequently amended.

(*2*) The fees under this section may be at different rates for different properties or classes of properties or for different duties, and shall, so far as may be, be arranged so as to produce an amount sufficient to discharge the salaries and all other expenses incidental to the working of this Act (including such sum as Government may determine to be required to insure the revenues of the Government of India against loss under this Act.)

18. (*1*) All expenses which might be retained or paid out of the trust fund, if the Official Trustee were a private trustee, shall be so retained or paid, and any fees leviable under this Act shall be retained or paid in like manner as and in addition to such expenses.

Disposal of fees.

(*2*) The Official Trustee shall transfer and pay to such authority and in such manner and at such times as the Government may prescribe, all fees received by him under this Act, and the same shall be carried to the account and credit of the Government of India.

PART V.

AUDIT.

19. (*1*) The accounts of the Official Trustee shall be audited at least once annually and at any other time if the Government so direct by the prescribed person and in the prescribed manner.

Auditors to be appointed to examine Official Trustee's accounts, etc., and to report to Government.

(*2*) The auditor shall examine such accounts and shall forward to Government a statement thereof in the prescribed form, together with a report thereon and a certificate signed by him showing—

(*a*) whether the accounts contain a full and true account of everything which ought to be contained therein, and

(*b*) whether the books, which by any rules made under this Act are directed to be kept by the Official Trustee, have been duly and regularly kept, and

(*c*) whether the trust funds and securities have been duly kept and invested and deposited in the manner prescribed by this Act or any rules made thereunder;

or (as the case may be) that such accounts are deficient, or that the Official Trustee has failed to comply with this Act or the rules made thereunder, in such respects as may be specified in such certificate.

20. (*1*) Every auditor shall have the powers of a Civil Court under the Code of Civil Procedure, 1908,

Auditor's power to summon witnesses and to call for documents.

(*a*) to summon any person whose presence he may think necessary to attend him from time to time, and

(*b*) to examine any person, on oath to be by him administered, and

(*c*) to issue a commission for the examination on interrogatories or otherwise of any person, and

(*d*) to summon any person to produce any document or thing, the production of which appears to be necessary for the purposes of such audit or examination.

(*2*) Any person who, when summoned, refuses, or without reasonable cause neglects to attend or to produce any document or thing or attends and refuses to be sworn, or to be examined, shall be deemed to have committed an offence within the meaning of, and punishable under, section 188 of the Indian Penal Code, and the auditor shall report every case of such refusal or neglect to Government.

21. The cost of and incidental to every such audit and examination shall be determined in accordance with rules made by the Government and shall be defrayed in the prescribed manner.

Costs of audit, etc., how paid.

22. Every beneficiary under a trust which is being administered by the Official Trustee shall, subject to such conditions and restrictions as may be prescribed, be entitled, at all reasonable times, to inspect the accounts of such trust, and the report and certificate of the auditor and, on payment of the prescribed fee, to be furnished with copies thereof or extracts therefrom and nothing in the Indian Trusts Act, 1882, shall affect the provisions of this section.

Right of beneficiary to inspection and copies of accounts.

PART VI.

MISCELLANEOUS.

23. When any moneys payable to a beneficiary under a trust have been in the hands of any Official Trustee for a period of twelve years or upwards whether before or after the commencement of this Act in consequence of the Official Trustee having been unable to trace the person entitled to receive the same, such moneys shall be transferred in the prescribed manner to the account and credit of the Government of India :

Transfer to Government of accumulations in the hands of Official Trustee.

Provided that no such moneys shall be so transferred if any suit or proceeding is pending in respect thereof in any Court.

24. (*1*) If any claim is made to any moneys so transferred and such claim is established to the satisfaction of the prescribed authority, the Government of India shall pay to the claimant the amount in respect of which the claim is established.

Mode of proceeding by claimant to recover money so transferred.

(*2*) If such claim is not established to the satisfaction of the prescribed authority, the claimant may, without prejudice to his right to take any other proceedings for the recovery of such moneys, apply by petition to the High Court against the Secretary of State for India in Council, and, after taking such evidence as it thinks fit, such Court shall make such order on the petition in regard, to the payment of such moneys as it thinks fit, and such order shall be binding on all parties to the proceedings.

(*3*) The Court may further direct by whom all or any part of the costs of such proceedings shall be paid.

25. The High Court may make such orders as it thinks fit respecting any trust property vested in the Official Trustee, or the interest or produce thereof.

Power of High Court to make orders in respect of property vested in Official Trustee.

26. Any order under this Act may be made, on the application of any person beneficially interested in any trust property or of any trustee thereof.

Who may apply for order under Act.

27. Any order made by a High Court under this Act shall have the same effect as a decree.

Order of Court to have effect of a decree.

28. The Official Trustee may, in addition to and not in derogation of any other powers of expenditure lawfully exerciseable by him, incur expenditure—

General powers of administration.

(*a*) on such acts as may be necessary for the proper care and management of any property belonging to any trust administered by him; and

(*b*) with the sanction of the High Court on such religious, charitable and other objects and on such improvements as may be reasonable and proper in the case of such property.

29. (*1*) Nothing in this Act shall be deemed to prevent the transfer by the Official Trustee of any property vested in him to—

Transfer of trust property by Official Trustee to original trustee or any other trustee.

(*a*) the original trustee (if any) ; or

(*b*) any other lawfully appointed trustee; or

(*c*) any other person if the Court so directs.

(*2*) Upon such transfer such property shall vest in such trustee, and shall be held by him upon the same trusts as those upon which it was held prior to such transfer, and the Official Trustee shall be exempt from all liability as trustee of such property except in respect of acts done before such transfer :

Provided that, in the case of any transfer under this section, the Official Trustee shall be entitled to retain out of the property any fees leviable in accordance with the provisions of this Act.

30. (*1*) The Government shall make rules for carrying into effect the objects of this Act and for regulating the proceedings of the Official Trustee in the discharge of his duties.

Rules.

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(*a*) the accounts to be kept by the Official Trustee and the audit and inspection thereof;

(*b*) the safe custody, and deposit of the funds and securities which come into the hands of the Official Trustee;

(*c*) the remittance of sums of money in the hands of the Official Trustee in cases in which such remittances are required;

(*d*) the statements, schedules and other documents to be submitted by the Official Trustee to Government or to any other authority and the publication of such statements, schedules or other documents;

(*e*) the realization of the cost of preparing any such statements, schedules or other documents;

(*f*) subject to the provisions of this Act, the fees to be paid thereunder and the collection and accounting for any fees so fixed;

(*g*) the manner in which and the person by whom the costs of and incidental to any audit under the provisions of this Act are to be determined and defrayed ;

(*h*) the manner in which summonses issued under the provisions of section 20 are to be served and the payment of the expenses of any persons summoned or examined under the provisions of this Act and of any expenditure incidental to such examination ;

(*i*) the acceptance by the Official Trustee of trusts for religious purposes and trusts which involve the management or carrying on of business ; and

(*j*) any matter in this Act directed to be prescribed.

(*3*) Rules made under the provisions of this section shall be published in the official Gazette, and shall thereupon have effect as if enacted in this Act.

31. (*1*) Notwithstanding anything in the foregoing provisions of this Act, the Governor General in Council may, by notification in the Gazette of India,—

Division of Presidency into Provinces.

(*a*) remove any of the territories included in the Presidency of Bengal from such Presidency and constitute the same

into provinces for the purposes of this Act;

(b) direct that for the purposes of this Act any of the territories of any Native State in India shall be included in any Province so constituted; and

(c) appoint any person qualified in accordance with the provisions of sub-section (2) of section 4, or who holds office under Government to be an Official Trustee for any such Province, to be called the Official Trustee of the Province,

and subject to the provisions of this section the following consequences shall thereupon ensue, namely:—

(i) the Official Trustee of a Province shall by that name have the like rights, powers, privileges and liabilities, and perform the like duties in the Province as the Official Trustee of the Presidency within which such territories were included had and performed as Official Trustee therein, and shall be deemed to be his successor in office:

(ii) the powers and duties of the Government under this Act shall, as regards the Province, be exercised and discharged by the Governor General in Council, or by such Local Government as the Governor General in Council may, by notification in the Gazette of India, appoint in this behalf; and the Gazette of the Government exercising and discharging such powers and duties shall be the official Gazette of the Province for the purposes of this Act:

(iii) the powers and duties assigned by the foregoing provisions of this Act to the High Court shall be exercised and discharged in respect of such Province by such Court as the Governor General in Council may, by notification in the Gazette of India, appoint in this behalf:

(iv) in the foregoing provisions of this Act, the word "Presidency" shall be deemed to include a province; and

(v) generally, the provisions of the foregoing sections with respect to the High Court and the provisions of this Act and of any other enactment for the time being in force with respect to the Official Trustee of a Presidency shall, in relation to a Province, be construed so far as may be to apply to the Court and the Official Trustee respectively appointed for the Province under this section.

(2) Any proceeding which was commenced before the publication of the notification constituting the province and to or in which the Official Trustee of any Presidency within which any territories constituted into a Province are situate was a party or was otherwise concerned shall be continued as if the notification had not been published.

(3) If by reason of the constitution of provinces for the purposes of this Act it appears to the Governor General in Council that any property vested in the Official Trustee of any Presidency should be vested in the Official Trustee of a Province, he may direct that the property shall be so vested, and thereupon it shall vest in the Official Trustee of the Province as fully and effectually for the purposes of this Act as if it had originally been vested in him under this Act.

(4) If in accordance with the provisions of this section territories have been removed from the Presidency of Bengal and constituted a Province for the purposes of this Act, the Governor General in Council may, by notification in the Gazette of India, direct that as regards the Presidency of Bengal excluding the territories so removed the powers and duties of the Government under the Act shall be exercised and discharged by the Local Government of Bengal, and that the official Gazette shall be the Calcutta Gazette.

(5) Upon the rescission of a notification constituting a Province under sub-section (1), the territories comprised therein shall again form part of the Presidency within which they were originally included, the office of Official Trustee for the Province shall determine and all properties vested in and all proceedings by or against such Official Trustee pending at the date of the rescission shall vest in and be carried on by or against such Official Trustee or Official Trustees as the Governor General in Council may direct.

Saving of provisions of Indian Registration Act, 1908.

32. Nothing contained in this Act shall be deemed to affect the provisions of the Indian Registration Act, 1908. XVI of

Repeals.

33. The enactments specified in the Schedule are hereby repealed to the extent specified in the fourth column thereof:

Provided that any property subject to a trust by or in pursuance of any such enactment vested in any Official Trustee at the commencement of this Act shall be deemed to be vested in the Official Trustee under this Act to be held by him upon the same trusts as those upon which such property was held before such commencement.

THE SCHEDULE.

ENACTMENTS REPEALED.

(See section 33.)

Year.	No.	Short title.	Extent of repeal.
1864 ...	XVII	The Official Trustees Act, 1864.	So much as has not already been repealed.
1890 ...	II	The Probate and Administration Act, 1890.	So much of the title and preamble as relates to the Official Trustees Act, 1864, and sections 1 to 8.
1902 ...	V	The Administrators General and Official Trustees Act, 1902.	So far as it refers to the office of Official Trustee, or Deputy Official Trustee.

W. H. VINCENT,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of the Governor General on the 27th February 1913, and is hereby promulgated for general information:—

ACT No. III OF 1913.

THE ADMINISTRATOR GENERAL'S ACT, 1913.

CONTENTS.

SECTIONS.

(d) General.

22. Administrator General's petition for grant of letters of administration.

23. Probates or letters to be granted to Administrator General by his name of office, and powers of that officer in cases in which probate or letters of administration have been granted to the Ecclesiastical Registrar.

24. Effect of probate or letters granted to Administrator General.

25. Transfer by private executor or administrator of interest under probate or letters.

26. Distribution of assets.

27. Appointment of Official Trustee as trustee of assets after completion of administration.

28. Power for High Court to give directions regarding administration of estate.

29. No security nor oath to be required from Administrator General.

Manner in which petitions to be verified by Administrator General and his Deputy.

Entry of Administrator General not to constitute notice of a trust.

30. Power to examine on oath.

(e) Grant of Certificates.

31. In what case Administrator General may grant certificate.

32. Grant of certificate to creditors and power to take charge of certain estates.

33. Administrator General not bound to grant certificate unless satisfied of claimant's title, etc.

34. Effect of certificate.

35. Revocation of certificate.

36. Surrender of revoked certificate.

37. Administrator General not bound to take out administration on account of assets for which he has granted certificate.

38. Transfer of certain assets from British India to executor or administrator in country of domicile for distribution.

(f) Liability.

39. Liability of Government.

40. Creditors' suits against Administrator General.

41. Notice of suit not required in certain cases.

PART IV.

FEES.

SECTIONS.

42. Fees.

43. Disposal of fees.

PART V.

AUDIT OF THE ADMINISTRATOR GENERAL'S ACCOUNTS.

44. Audit of Administrator General's accounts.

45. Auditors to examine accounts and report to Government.

46. Power of auditors to summon and examine witnesses and to call for documents.

47. Costs of audit, etc.

PART VI.

MISCELLANEOUS.

48. General powers of administration.

49. Power of person beneficially interested to inspect Administrator General's accounts, etc., and take copies.

50. Power to make rules.

51. False evidence.

52. Assets unclaimed for twelve years to be transferred to Government.

53. Mode of proceeding by claimant to recover principal money so transferred.

54. District Judge in certain cases to take charge of property of deceased persons, and to report to Administrator General.

55. Succession Act and Companies Act not to affect Administrator General and saving of provisions of Presidency Police Acts as to petty estates.

56. Order of Court to be equivalent to decree.

57. Provision for administration by Consular Officer in case of death in certain circumstances of foreign subject.

58. Division of Presidency into Provinces.

59. Saving of provisions of Indian Registration Act, 1908.

60. Repeals.

THE SCHEDULE.—ENACTMENTS REPEALED.

An Act to consolidate and amend the law relating to the office and duties of Administrator General.

WHEREAS it is expedient to consolidate and amend the law relating to the office and duties of Administrator General; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title, extent and commencement.

1. (*1*) This Act may be called the Administrator General's Act, 1913.

(*2*) It extends to the whole of British India, including the Sonthal Parganas and British Baluchistan, and applies also to all British and Indian subjects of His Majesty in the territories of Native States in India.

(*3*) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, direct.

Interpretation clause.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*1*) "assets" means all the property, moveable and immoveable, of a deceased person, which is chargeable with, and applicable to, the payment of his debts and legacies, or available for distribution among his heirs and next-of-kin:

(*2*) "exempted person" means an Indian Christian, a Hindu, Muhammadan, Parsi or Buddhist, or a person exempted under section 332 of the Indian Succession Act, 1865, from the operation of that Act:

(*3*) "Government" means the Governor General in Council, so far as the Act relates to the Presidency of Bengal and the Local Governments of Madras and Bombay respectively, so far as the Act relates to those Presidencies:

(*4*) "Indian Christian" means a Native of India who is or in good faith claims to be of unmixed Asiatic descent, and who professes any form of the Christian religion:

(*5*) "Letters of Administration" includes any letters of administration, whether general or with a copy of the will annexed, or limited in time or otherwise:

(*6*) "next-of-kin" includes a widower or widow of a deceased person, or any other person who by law would be entitled to letters of administration in preference to a creditor or legatee of the deceased:

(*7*) "Official Gazette" means, in the case of the Presidency of Bengal, the Gazette of India, and in the cases of the Presidencies of Madras and Bombay, the Fort St. George and Bombay Government Gazettes, respectively:

(*8*) "Prescribed" means prescribed by rules under this Act:

(*9*) (*a*) "Presidency of Bengal" includes the territories for the time being under the government of the Governor of Fort William in Bengal in Council, the United Provinces of Agra and Oudh, the provinces of the Punjab, Burma, Bihar and Orissa, the Central Provinces, Assam, the North-West Frontier Province, the province of Delhi, Ajmer and Merwara, the Andaman and Nicobar Islands, and such of the territories of Native States aforesaid as the Governor General in Council may, by notification in the Gazette of India, direct:

(*b*) "Presidency of Bombay" includes the territories for the time being under the government of the Governor of Bombay in Council, the Province of British Baluchistan, and such of the territories of Native States aforesaid as the Governor General in Council may, by notification in the Gazette of India, direct:

(*c*) "Presidency of Madras" includes the territories for the time being under the government of the Governor of Fort St. George in Council, the province of Coorg, and such of the territories of Native States aforesaid as the Governor General in Council may, by notification in the Gazette of India, direct.

(*10*) "Presidency" means any of the Presidencies mentioned in clause (*9*).

PART II.

THE OFFICE OF ADMINISTRATOR GENERAL.

Appointment and designation of the Administrators General in the three Presidencies.

3. (*1*) In each of the Presidencies of Bengal, Madras and Bombay, the Government shall appoint an Administrator General.

(*2*) No person shall be appointed to the office of Administrator General of any of the said Presidencies who is not—

(*a*) a Barrister; or
(*b*) an Advocate, Attorney or Vakil enrolled by a High Court; or
(*c*) a person holding the office of Deputy Administrator General at the commencement of this Act.

(*3*) The said Administrators General shall be called respectively the Administrator General of Bengal, the Administrator General of Madras, and the Administrator General of Bombay.

Appointment and powers of Deputy Administrators General.

4. The Government may appoint a Deputy or Deputies to assist the Administrator General; and any Deputy so appointed shall, subject to the control of the Government and the general or special orders of the Administrator General, be competent to discharge any of the duties and to exercise any of the powers of the Administrator General, and when discharging such duties or exercising such powers shall have the same privileges and

be subject to the same liabilities as the Administrator General.

Administrator General to be a corporation sole, to have perpetual succession and official seal, and to sue and be sued in his corporate name.

5. The Administrator General shall be a corporation sole by the name of the Administrator General of the Presidency for which he is appointed and, as such Administrator General, shall have perpetual succession and an official seal, and may sue and be sued in his corporate name.

PART III.

RIGHTS, POWERS, DUTIES AND LIABILITIES OF THE ADMINISTRATOR GENERAL.

(a) *Grants of Letters of Administration and Probate.*

As regards Administrator General, High Court at Presidency-town to be deemed a Court of competent jurisdiction for the purpose of granting probate or letters of administration.

6. So far as regards the Administrator General of any Presidency, the High Court at the Presidency-town shall be deemed to be a Court of competent jurisdiction for the purpose of granting probate or letters of administration under any law for the time being in force wheresoever within the Presidency the estate to be administered is situate.

Administrator General entitled to letters of administration, unless granted to next-of-kin.

7. Any letters of administration, which are granted after the commencement of this Act by the High Court at any Presidency-town, shall be granted to the Administrator General of the Presidency, unless they are granted to the next-of-kin of the deceased.

Administrator General entitled to letters of administration in preference to creditor, non-universal legatee or friend.

8. The Administrator General of the Presidency shall be deemed by all the Courts in the Presidency to have a right to letters of administration other than letters *pendente lite* in preference to that of—

(*a*) a creditor; or

(*b*) a legatee other than an universal legatee; or

(*c*) a friend of the deceased.

When Administrator General is to administer estates of persons other than exempted persons.

9. If any person, not being an exempted person, has died leaving within any Presidency assets exceeding the value of one thousand rupees,

and if no person to whom any Court would have jurisdiction to commit administration of such assets has, within one month after his death, applied in such Presidency for probate of his will, or for letters of administration of his estate,

the Administrator General of the Presidency in which such assets are shall, subject to any rules made by the Government, within a reasonable time after he has had notice of the death of such person, and of his having left such assets, take such proceedings as may be necessary to obtain from the High Court at the Presidency-town letters of administration of the estate of such person.

Power to direct Administrator General to apply for administration.

10. Whenever any person has died leaving assets within the local limits of the ordinary original civil jurisdiction of the High Court at a Presidency-town, the Court, on being satisfied that danger is to be apprehended of misappropriation, deterioration or waste of such assets unless letters of administration of the estate of such person are granted, may upon the application of the Administrator General or of any person interested in such assets or in the due administration thereof, make an order, upon such terms as to indemnifying the Administrator General against costs and other expenses as the Court thinks fit, directing the Administrator General to apply for letters of administration of the estate of such person:

Provided that, in the case of an application being made under this section for letters of administration of the estate of an exempted person, the Court may refuse to grant letters of administration, if it is satisfied that such grant is unnecessary for the protection of the assets; and in such case the Court shall make such order as to the costs of the application as it thinks fit.

Power to direct Administrator General to collect and hold assets until right of succession or administration is determined.

11. (*1*) Whenever any person has died leaving assets within the local limits of the ordinary original civil jurisdiction of any of the said High Courts,

and such Court is satisfied that there is no person immediately available, who is legally entitled to the succession to such assets, or that danger is to be apprehended of misappropriation, deterioration or waste of such assets, before it can be determined who may be legally entitled to the succession thereto, or whether the Administrator General is entitled to letters of administration of the estate of such deceased person,

the Court may, upon the application of the Administrator General or of any person interested in such assets, or in the due administration thereof, forthwith direct the Administrator General to collect and take possession of such assets, and to hold, deposit, realize, sell or invest the same according to the directions of the Court, and in default of any such directions according to the provisions of this Act so far as the same are applicable to such assets.

(*2*) Any order of the Court made under the provisions of this section shall entitle the Administrator General,

(*a*) to maintain any suit or proceeding for the recovery of such assets, and

(*b*) if he thinks fit, to apply for letters of administration of the estate of such deceased person, and

(*c*) to retain out of the assets of the estate any fees chargeable under rules made under this Act, and to reimburse himself for all payments made by him in respect of such assets which a private administrator might lawfully have made.

Grant of probate or letters of administration to person appearing in the course of proceedings taken by Administrator General under sections 9, 10 and 11.

12. If, in the course of proceedings to obtain letters of administration under the provisions of section 9, section 10, or section 11, any person appears and establishes his claim—

(a) to probate of the will of the deceased; or

(b) to letters of administration as next-of-kin of the deceased, and gives such security as may be required of him by law,

the Court shall grant probate of the will or letters of administration accordingly, and shall award to the Administrator General the costs of any proceedings taken by him, under those sections to be paid out of the estate as part of the testamentary or intestate expenses thereof.

Grant of administration to Administrator General in certain cases.

. If, in the course of proceedings to obtain letters of administration under the provisions of section 9, section 10 or section 11, no person appears and establishes his claim to probate of a will, or to a grant of letters of administration as next-of-kin of the deceased, within such period as to the Court seems reasonable,

or if a person who has established his claim to a grant of letters of administration as next-of-kin of the deceased fails to give such security as may be required of him by law,

the Court may grant letters of administration to the Administrator General.

Administrator General not precluded from applying for letters within one month after death.

14. Nothing in this Act shall be deemed to preclude the Administrator General from applying to the Court for letters of administration in any case within the period of one month from the death of the deceased.

(b) Estates of Persons subject to the Army Act.

Act not to affect Regimental Debts Act, 1893.

15. Nothing in this Act shall be deemed to affect the provisions of the Regimental Debts Act, 1893.

Letters of administration not necessary in respect of small estates administered by Administrator General in accordance with the Regimental Debts Act, 1893.

16. It shall not be necessary for the Administrator General to take out letters of administration of the estate of any deceased person which is being administered by him in accordance with the provisions of the Regimental Debts Act, 1893, if the value of such estate does not on the date when such administration is committed to him exceed rupees one thousand, but he shall have the same power in regard to such estate as he would have had if letters of administration had been granted to him.

Power to grant Administrator General letters limited to purpose of dealing with assets in accordance with the Regimental Debts Act, 1893.

17. If the Administrator General applies, in accordance with the provisions of the Regimental Debts Act, 1893, for letters of administration of the estate of any person subject to the Army Act, the Court may grant to him letters of administration limited to the purpose of dealing with such estate in accordance with the provisions of the Regimental Debts Act, 1893.

(c) Revocation of Grants.

Recall of Administrator General's administration, and grant of probate, etc., to executor or next-of-kin.

18. If an executor or next-of-kin of the deceased, who has not been personally served with a citation or who has not had notice thereof in time to appear pursuant thereto establishes to the satisfaction of the Court a claim to probate of a will or to letters of administration in preference to the Administrator General, any letters of administration granted in accordance with the provisions of this Act to the Administrator General may be revoked, and probate or letters of administration may be granted to such executor or next-of-kin as the case may be:

Provided that no letters of administration granted to the Administrator General shall be revoked for the cause aforesaid, except in cases in which a will of the deceased is proved in the Presidency, unless the application for that purpose is made within six months after the grant to the Administrator General and the Court is satisfied that there has been no unreasonable delay in making the application, or in transmitting the authority under which the application is made.

Cost of obtaining administration, etc., may, on revocation, be ordered to be paid to Administrator General out of assets.

19. If any letters of administration granted to the Administrator General in accordance with the provisions of this Act are revoked, the Court may order the costs of obtaining such letters of administration, and the whole or any part of any fees which would otherwise have been payable under this Act, together with the costs of the Administrator General in any proceedings taken to obtain such revocation, to be paid to or retained by the Administrator General out of the estate:

Provided that nothing in this section shall affect the provisions of clause (c) of sub-section (2) of section 11.

After revocation, letters granted to Administrator General to be deemed as to him to have been voidable only.

20. If any letters of administration granted to the Administrator General in accordance with the provisions of this Act are revoked, the same shall, so far as regards the Administrator General and all persons acting under his authority in pursuance thereof, be deemed to have been only voidable, except as to any act done by any such Administrator General or other person as aforesaid, after notice of a will or of any other fact which would render such letters void:

Provided that no notice of a will or of any other fact which would render any such letters void shall affect the Administrator General or any person acting under his authority in pursuance of such letters unless, within the period of one month from the time of giving such notice, proceedings are commenced to prove the will, or to cause the letters to be revoked, and such proceedings are prosecuted without unreasonable delay.

Payments made by Administrator General prior to revocation.

21. If any letters of administration granted to the Administrator General in accordance with the provisions of this Act are revoked, upon the grant of probate of a will, or upon the grant of letters of administration with a copy of the will annexed, all payments made or acts done

by or under the authority of the Administrator General in pursuance of such letters of administration, prior to the revocation, which would have been valid under any letters of administration lawfully granted to him with a copy of such will annexed, shall be deemed valid notwithstanding such revocation.

(d) General.

Administrator General's petition for grant of letters of administration.

22. Whenever any Administrator General applies for letters of administration in accordance with the provisions of this Act, it shall be sufficient if the petition required to be presented for the grant of such letters states,

(*i*) the time and place of the death of the deceased to the best of the knowledge and belief of the petitioner,

(*ii*) the names and addresses of the surviving next-of-kin of the deceased if known,

(*iii*) the particulars and value of the assets likely to come into the hands of the petitioner,

(*iv*) particulars of the liabilities of the estate if known.

Probates or letters to be granted to Administrator General by his name of office, and powers of that officer in cases in which probate or letters of administration have been granted to the Ecclesiastical Registrar.

23. (*1*) All probates or letters of administration granted to any Administrator General shall be granted to him by that name, and all probates or letters of administration heretofore granted to the Ecclesiastical Registrar, or to the Administrator General of any Presidency shall authorise the Administrator General of the same Presidency to act as executor or administrator, as the case may be, of the estate to which such probate or letters relate.

(2) All probates and letters of administration granted to the Ecclesiastical Registrar of any of the late Supreme Courts shall have the same effect in all respects as to any act hereafter done or required to be done under this Act as if they had been granted to the Administrator General.

Effect of probate or letters granted to Administrator General.

. Probate or letters of administration granted by the High Court at any Presidency-town to the Administrator General of any Presidency shall have effect over all the assets of the deceased throughout such Presidency, and shall be conclusive as to the representative title against all debtors of the deceased and all persons holding such assets, and shall afford full indemnity to all debtors paying their debts and all persons delivering up such assets to such Administrator General:

Provided that the High Court may direct, by its grant, that such probate or letters of administration shall have like effect throughout one or more of the other Presidencies.

Whenever a grant is made by a High Court to the Administrator General with such effect as last aforesaid, the Court shall send to the other High Courts a certificate that such grant has been made, and such certificate shall be filed by the Courts receiving the same.

Transfer by private executor or administrator of interest under probate or letters.

25. (*1*) Any private executor or administrator may, with the previous consent of the Administrator General of the Presidency in which any of the assets of the estate, in respect of which such executor or administrator has obtained probate or letters of administration, are situate, by an instrument in writing under his hand notified in the official Gazette, transfer the assets of the estate vested in him by virtue of such probate or letters to the Administrator General by that name or any other sufficient description.

(*2*) As from the date of such transfer the transferor shall be exempt from all liability as such executor or administrator, as the case may be, except in respect of acts done before the date of such transfer, and the Administrator General shall have the rights which he would have had, and be subject to the liabilities to which he would have been subject, if the probate or letters of administration, as the case may be, had been granted to him by that name at the date of such transfer.

Distribution of assets.

26. (*1*) When the Administrator General has given the prescribed notice for creditors and others to send in to him their claims against the estate of the deceased, he shall, at the expiration of the time therein named for sending in claims, be at liberty to distribute the assets or any part thereof in discharge of such lawful claims as he has notice of.

(*2*) He shall not be liable for the assets so distributed to any person of whose claim he had not notice at the time of such distribution.

(*3*) No notice of any claim which has been sent in and has been rejected or disallowed in part by the Administrator General shall affect him unless proceedings to enforce such claim are commenced within one month after notice of the rejection or disallowance of such claim has been given in the prescribed manner and unless such proceedings are prosecuted without unreasonable delay.

(*4*) Nothing in this section shall prejudice the right of any creditor or other claimant to follow the assets or any part thereof in the hands of the persons who may have received the same respectively.

(*5*) In computing the period of limitation for any suit, appeal or application under the provisions of any law for the time being in force, the period between the date of submission of the claim of a creditor to the Administrator General and the date of the final decision of the Administrator General on such claim shall be excluded.

Appointment of Official Trustee as trustee of assets after completion of administration.

27. (*1*) When the Administrator General has, so far as may be, discharged all the liabilities of an estate administered by him, he shall notify the fact in the official Gazette, and he may, by an instrument in writing, with the consent of the Official Trustee and subject to any rules made by the Government appoint the Official Trustee to be the trustee of any assets then remaining in his hands.

(*2*) Upon such appointment such assets shall vest in the Official Trustee as if he had been appointed trustee in accordance with the provisions of the Official Trustees Act, 1913, and shall be held by him upon the same trusts as the same were held immediately before such appointment.

Power for High Court to give directions regarding administration of estate.

28. (*1*) The High Court at the Presidency-town may, on application made to it, give to the Administrator General of the presidency any general or special directions as to any estate in his charge or in regard to the administration of any such estate.

(2) Applications under sub-section (1) may be made by the Administrator General or any person interested in the assets or in the due administration thereof.

29. (1) No Administrator General shall be required by any Court to enter into any administration-bond, or to give other security to the Court, on the grant of any letters of administration to him by that name.

No security nor oath to be required from Administrator General.

(2) No Administrator General or Deputy Administrator General shall be required to verify, otherwise than by his signature, any petition presented by him under the provisions of this Act, and, if the facts stated in any such petition are not within the Administrator General's own personal knowledge, the petition may be subscribed and verified by any person competent to make the verification.

Manner in which petitions to be verified by Administrator General and his Deputy.

(3) The entry of the Administrator General by that name in the books of a Company shall not constitute notice of a trust, and a Company shall not be entitled to object to enter the name of the Administrator General on its register by reason only that the Administrator General is a corporation and in dealing with assets the fact that the person dealt with is the Administrator General shall not of itself constitute notice of a trust.

Entry of Administrator-General not to constitute notice of a trust.

30. The Administrator General may, whenever he desires, for the purposes of this Act, to satisfy himself regarding any question of fact, examine upon oath (which he is hereby authorised to administer) any person who is willing to be so examined by him regarding such question.

Power to examine on oath.

(e) Grant of Certificates.

31. Whenever any person has died leaving assets within any Presidency, and the Administrator General of such Presidency is satisfied that such assets, excluding any sum of money deposited in a Government Savings Bank, or in any Provident Fund to which the provisions of the Provident Funds Act, 1897, apply, did not at the date of death exceed in the whole one thousand rupees—in value, he may, after the lapse of one month from the death if he thinks fit, or before the lapse of the said month if he is requested so to do by writing under the hand of the executor or the widow or other person entitled to administer the estate of the deceased, grant to any person, claiming otherwise than as a creditor to be interested in such assets, or in the due administration thereof, a certificate under his hand entitling the claimant to receive the assets therein mentioned left by the deceased, within the Presidency to a value not exceeding in the whole one thousand rupees:

In what case Administrator General may grant certificate.

Provided that no certificate shall be granted under this section—

(i) where probate of the deceased's will or letters of administration of his estate has or have been granted, or

(ii) in respect of any sum of money deposited in a Government Savings Bank or in any Provident Fund to which the provisions of the Provident Funds Act, 1897, apply.

32. If, in cases falling within section 31, no person claiming to be interested otherwise than as a creditor in such assets or in the due administration thereof obtains, within three months of the death of the deceased a certificate from the Administrator General under the same section, or probate of a will or letters of administration of the estate of the deceased, and such deceased was not an exempted person, or was an exempted person who has left assets within the ordinary original civil jurisdiction of the High Court, or within any area notified by the Government in this behalf in the official Gazette, the Administrator General may administer the estate without letters of administration, in the same manner as if such letters had been granted to him;

Grant of certificate to creditors and power to take charge of certain estates.

and if he neglects or refuses to administer such estate, he shall, upon the application of a creditor, grant a certificate to him in the same manner as if he were interested in such assets otherwise than as a creditor,

and such certificate shall have the same effect as a certificate granted under the provisions of section 31, and shall be subject to all the provisions of this Act which are applicable to such certificate:

Provided that the Administrator General may, before granting such certificate, if he thinks fit, require the creditor to give reasonable security for the due administration of the estate of the deceased.

33. The Administrator General shall not be bound to grant any certificate under section 31 or section 32, unless he is satisfied of the title of the claimant and of the value of the assets left by the deceased within the presidency, either by the oath of the claimant, or by such other evidence as he requires.

Administrator General not bound to grant certificate unless satisfied of claimant's title, etc.

34. The holder of a certificate granted in accordance with the provisions of section 31 or section 32 shall have in respect of the assets specified in such certificate the same powers and duties, and be subject to the same liabilities as he would have had or been subject to if letters of administration had been granted to him:

Effect of certificate.

Provided that nothing in this section shall be deemed to require any person holding such certificate,

(a) to file accounts or inventories of the assets of the deceased before any Court or other authority, or

(b) save as provided in section 32 to give any bond for the due administration of the estate.

35. The Administrator General may revoke a certificate granted under the provisions of section 31 or section 32 on any of the following grounds, namely:—

Revocation of certificate.

(i) that the certificate was obtained by fraud or misrepresentation made to him,

(ii) that the certificate was obtained by means of an untrue allegation of a fact essential in law to justify the grant though such allegation was made in ignorance or inadvertently.

36. (1) When a certificate is revoked in accordance with the provisions of section 35, the holder thereof

Surrender of revoked certificate.

shall, on the requisition of the Administrator General, deliver it up to such Administrator General, but shall not be entitled to the refund of any fee paid thereon.

(2) If such person wilfully and without reasonable cause omits to deliver up the certificate, he shall be punishable with imprisonment which may extend to three months, or, with fine which may extend to one thousand rupees, or with both.

Administrator General not bound to take out administration on account of assets for which he has granted certificate.

37. The Administrator General shall not be bound to take out letters of administration of the estate of any deceased person on account of the assets in respect of which he grants any certificate, under section 31 or section 32, but he may do so if he revokes such certificate under section 35 or ascertains that the value of the estate exceeded one thousand rupees.

Transfer of certain assets from British India to executor or administrator in country of domicile for distribution.

38. Where a person not having his domicile in British India has died leaving assets in any Presidency and in the country in which he had his domicile at the time of his death, and proceedings for the administration of his estate with respect to assets in any such Presidency have been taken under section 31 or section 32, and there has been a grant of administration in the country of domicile with respect to the assets in that country,

the holder of the certificate granted under section 31 or section 32, or the Administrator General, as the case may be, after having given the prescribed notice for creditors and others to send in to him their claims against the estate of the deceased, and after having discharged, at the expiration of the time therein named, such lawful claims as he has notice of, may, instead of himself distributing any surplus or residue of the deceased's property to persons residing out of British India who are entitled thereto, transfer, with the consent of the executor or administrator, as the case may be, in the country of domicile, the surplus or residue to him for distribution to those persons.

(f) Liability.

Liability of Government.

39. (1) The revenues of the Government of India shall be liable to make good all sums required to discharge any liability which the Administrator General, if he were a private administrator, would be personally liable to discharge, except when the liability is one to which neither the Administrator General nor any of his officers has in any way contributed, or which neither he nor any of his officers could, by the exercise of reasonable diligence have averted, and in either of those cases the Administrator General shall not, nor shall the revenues of the Government of India, be subject to any liability.

(2) Nothing in sub-section (1) shall be deemed to render the Government of India or the Administrator General liable for anything done before the commencement of this Act, by or under the authority of the Administrator General.

Creditors' suits against Administrator General.

40. (1) If any suit be brought by a creditor against any Administrator General, such creditor shall be liable to pay the costs of the suit unless he proves that not less than one month previous to the institution of the suit he had applied in writing to the Administrator General, stating the amount and other particulars of his claim, and had given such evidence in support thereof as, in the circumstances of the case, the Administrator General was reasonably entitled to require.

(2) If any such suit is decreed in favour of the creditor, he shall, nevertheless, unless he is a secured creditor, be only entitled to payment out of the assets of the deceased equally and rateably with the other creditors.

Notice of suit not required in certain cases.

41. Nothing in section 80 of the Code of Civil Procedure, 1908, shall apply to any suit against the Administrator General in which no relief is claimed against him personally.

PART IV.

FEES.

Fees.

42. (1) There shall be charged in respect of the duties of the Administrator General such fees, whether by way of percentage or otherwise, as may be prescribed by the Government:

Provided that, in the case of any estate, the administration of which has been committed to the Administrator General before the commencement of this Act, the fees prescribed under this section shall not exceed the fees leviable in respect of such estate under the Administrator General's Act, 1874, as subsequently amended:

Provided further that, in respect of the duties of the Administrator General under the Regimental Debts Act, 1893, the fees prescribed in this section shall be determined in accordance with the provisions of that Act.

(2) The fees under this section may be at different rates for different estates or classes of estates or for different duties, and shall, so far as may be, be arranged so as to produce an amount sufficient to discharge the salaries and all other expenses incidental to the working of this Act (including such sum as Government may determine to be required to insure the revenues of the Government of India against loss under this Act).

Disposal of fees.

43. (1) Any expenses which might be retained or paid out of any estate in the charge of the Administrator General, if he were a private administrator of such estate, shall be so retained or paid and the fees prescribed under section 42 shall be retained or paid in like manner as and in addition to such expenses.

(2) The Administrator General shall transfer and pay to such authority, in such manner and at such time as the Government may prescribe, all fees received by him under this Act, and the same shall be carried to the account and credit of the Government of India.

PART V.

AUDIT OF THE ADMINISTRATOR GENERAL'S ACCOUNTS.

Audit of Administrator General's accounts.

44. The accounts of every Administrator General shall be audited at least once annually, and at any other time if the Government so direct, by the prescribed person and in the prescribed manner.

45. The auditors shall examine the accounts and forward to the Government a statement thereof in the prescribed form, together with a report thereon and a certificate signed by them showing—

Auditors to examine accounts and report to Government.

(*a*) whether they contain a full and true account of everything which ought to be inserted therein,

(*b*) whether the books which by any rules made under this Act are directed to be kept by the Administrator General, have been duly and regularly kept, and

(*c*) whether the assets and securities have been duly kept and invested and deposited in the manner prescribed by this Act, or by any rules made thereunder,

or (as the case may be) that such accounts are deficient, or that the Administrator General has failed to comply with this Act or the rules made thereunder, in such respects as may be specified in such certificate.

46. (*1*) Every auditor shall have the powers of a Civil Court under the Code of Civil Procedure, 1908,

Power of auditors to summon and examine witnesses, and to call for documents.

V of 1908.

(*a*) to summon any person whose presence he thinks necessary to attend him from time to time; and

(*b*) to examine any person on oath to be by him administered; and

(*c*) to issue a commission for the examination on interrogatories or otherwise of any person; and

(*d*) to summon any person to produce any document or thing the production of which appears to be necessary for the purpose of such audit or examination.

(*2*) Any person who when summoned refuses, or without reasonable cause, neglects to attend or to produce any document or thing or attends and refuses to be sworn, or to be examined, shall be deemed to have committed an offence within the meaning of, and punishable under, section 188 of the Indian Penal Code, and the auditor shall report every case of such refusal or neglect to Government.

XLV of 1860.

47. The costs of and incidental to such audit and examination shall be determined in accordance with rules made by the Government, and shall be defrayed in the prescribed manner.

Costs of audit, etc.

PART VI.

MISCELLANEOUS.

48. The Administrator General may, in addition to, and not in derogation of, any other powers of expenditure lawfully exerciseable by him, incur expenditure—

General powers of Administration.

(*a*) on such acts as may be necessary for the proper care and management of any property belonging to any estate in his charge; and

(*b*) with the sanction of the High Court at the Presidency-town on such religious, charitable and other objects, and on such improvements, as may be reasonable and proper in the case of such property.

49. Any person interested in the administration of any estate, which is in the charge of the Administrator General shall, subject to such conditions and restrictions as may be prescribed, be entitled at all reasonable times to inspect the accounts relating to such estate and the reports and certificates of the auditor, and on payment of the prescribed fee, to copies thereof and extracts therefrom.

Power of person beneficially interested to inspect Administrator General's accounts, etc., and take copies.

50. (*1*) The Government shall make rules for carrying into effect the objects of this Act and for regulating the proceedings of the Administrator General.

Power to make rules.

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(*a*) the accounts to be kept by the Administrator General and the audit and inspection thereof,

(*b*) the safe custody, deposit and investment of assets and securities which come into the hands of the Administrator General,

(*c*) the remittance of sums of money in the hands of the Administrator General, in cases in which such remittances are required,

(*d*) subject to the provisions of this Act, the fees to be paid under this Act, and the collection and accounting for any such fees,

(*e*) the statements, schedules and other documents to be submitted to the Government or to any other authority by the Administrator General, and the publication of such statements, schedules or other documents,

(*f*) the realization of the cost of preparing any such statements, schedules or other such documents,

(*g*) the manner in which and the person by whom the costs of and incidental to any audit under the provisions of this Act are to be determined and defrayed,

(*h*) the manner in which summonses issued under the provisions of section 46 are to be served and the payment of the expenses of any persons summoned or examined under the provisions of this Act and of any expenditure incidental to such examination, and

(*i*) any matter in this Act directed to be prescribed.

(*3*) All rules made under this Act shall be published in the official Gazette and, on such publication, shall have effect as if enacted in this Act.

51. Whoever, during any examination authorised by this Act, makes upon oath a statement which is false, and which he either knows or believes to be false or does not believe to be true, shall be deemed to have intentionally given false evidence in a stage of a judicial proceeding.

False evidence.

Assets unclaimed for twelve years to be transferred to Government.

52. All assets in the charge of the Administrator General which have been in his custody for a period of twelve years or upwards whether before or after the commencement of this Act without any application for payment thereof having been made and granted by him shall be transferred, in the prescribed manner, to the account and credit of the Government of India :

Provided that this section shall not authorise the transfer of any such assets as aforesaid, if any suit or proceeding is pending in respect thereof in any Court.

Mode of proceeding by claimant to recover principal money so transferred.

53. (*1*) If any claim is hereafter made to any part of the assets transferred to the account and credit of the Government of India under the provisions of this Act, or any Act hereby repealed, and if such claim is established to the satisfaction of the prescribed authority, the Government of India shall pay to the claimant the amount of the principal so transferred to its account and credit or so much thereof as appears to be due to the claimant.

(*2*) If the claim is not established to the satisfaction of the prescribed authority, the claimant may, without prejudice to his right to take any other proceedings for the recovery of such assets, apply by petition to the High Court at the Presidency-town against the Secretary of State for India in Council, and such Court, after taking such evidence as it thinks fit, shall make such order in regard to the payment of the whole or any part of the said principal sum as it thinks fit, and such order shall be binding on all parties to the proceeding.

(*3*) The Court may further direct by whom the whole or any part of the cost of each party shall be paid.

District Judge in certain cases to take charge of property of deceased persons, and to report to Administrator General.

54. (*1*) Whenever any person, other than an exempted person, dies leaving assets within the limits of the jurisdiction of a District Judge, the District Judge shall report the circumstance without delay to the Administrator General of the Presidency, stating the following particulars so far as they may be known to him :—

(*a*) the amount and nature of the assets,

(*b*) whether or not the deceased left a will and, if so, in whose custody it is,

(*c*) the names and addresses of the surviving next-of-kin of the deceased,

and, on the lapse of one month from the date of the death,

(*d*) whether or not any one has applied for probate of the will of the deceased or letters of administration of his estate.

(*2*) The District Judge shall retain the assets under his charge, or appoint an officer under the provisions of section 239 of the Indian Succession Act, 1865, to take and keep possession of the same until the Administrator General has obtained letters of administration, or until some other person has obtained probate or such letters or a certificate from the Administrator General under the provisions of this Act, when the assets shall be delivered over to the holder of such probate, letters of administration or certificate :

Provided that the District Judge may, if he thinks fit, sell any assets which are subject to speedy and natural decay, or which for any other sufficient cause he thinks should be sold, and he shall thereupon credit the proceeds of such sale to the estate.

(*3*) The District Judge may cause to be paid out of any assets of which he or such officer has charge, or out of the proceeds of such assets or of any part thereof, such sums as may appear to him to be necessary for all or any of the following purposes, namely :—

(*a*) the payment of the expenses of the funeral of the deceased and of obtaining probate of his will or letters of administration of his estate or a certificate under this Act,

(*b*) the payment of wages due for services rendered to the deceased within three months next preceding his death by any labourer, artizan or domestic servant,

(*c*) the relief of the immediate necessities of the family of the deceased, and

(*d*) such acts as may be necessary for the proper care and management of the assets left by the deceased,

and nothing in section 279, section 280 or section 281 of the Indian Succession Act, 1865, or in any other law for the time being in force with respect to rights of priority of creditors of deceased persons shall be held to affect the validity of any payment so caused to be made.

Succession Act and Companies Act not to affect Administrator General, and saving of provisions of Presidency Police Acts as to petty estates.

55. (*1*) Nothing contained in the Indian Succession Act, 1865, or the Indian Companies Act, 1882, shall be taken to supersede or affect the rights, duties and privileges of any Administrator General.

(*2*) Nothing contained in the Indian Succession Act, 1865, or in this Act, shall be deemed to affect, or to have affected, any law for the time being in force relating to the moveable property under two hundred rupees in value of persons dying intestate within any of the Presidency-towns or in the town of Rangoon, which shall be or has been taken charge of by the police for the purpose of safe custody.

Order of Court to be equivalent to decree.

56. Any order made under this Act by any Court shall have the same effect as a decree.

Provision for administration by Consular Officer in case of death in certain circumstances of foreign subject.

57. Notwithstanding anything in this Act, or in any other law for the time being in force, the Governor General in Council may, by general or special order, direct that, where a subject of a foreign State dies in British India, and it appears that there is no one in British India, other than the Administrator General, entitled to apply to a Court of competent jurisdiction for letters of administration of the estate of the deceased, letters of administration shall, on the application to such Court of any Consular Officer of such foreign State, be granted to such Consular Officer on such terms and conditions as the Court may, subject to any rules made in this behalf by the Governor General in Council by notification in the Gazette of India, think fit to impose.

58. (*1*) Notwithstanding anything in the foregoing provisions of this Act, the Governor General in Council may, by notification in the Gazette of India,—

Division of Presidency into Provinces.

(*a*) remove any of the territories included in the presidency of Bengal from such presidency, and constitute the same into provinces for the purposes of this Act;

(*b*) direct that for the purposes of this Act any of the territories of any Native State in India shall be included in any province so constituted; and

(*c*) appoint any person qualified in accordance with the provisions of sub-section (*2*) of section 3, or who holds office under Government to be an Administrator General for any such Province to be called the Administrator General of the Province,

and, subject to the provisions of this section, the following consequences shall thereupon ensue, namely:—

(i) the Administrator General of a Province shall by that name have the like rights, powers, privileges and liabilities, and perform the like duties, in the Province as the Administrator General of the Presidency within which such territories were included had and performed as Administrator General therein and shall be deemed to be his successor in office:

(ii) the powers and duties of the Government under this Act shall, as regards the Province, be exercised and discharged by the Governor General in Council or by such Local Government as the Governor General in Council may, by notification in the Gazette of India, appoint in this behalf; and the Gazette of the Government exercising and discharging such powers and duties shall be the official Gazette of the Province for the purposes of this Act:

(iii) the powers and duties assigned by the foregoing provisions of this Act to the High Court shall be exercised and discharged in respect of such Province by such Court as the Governor General in Council may, by notification in the Gazette of India, appoint in this behalf; and probate or letters of administration granted to the Administrator General of the Province by the Court so appointed shall have the same effect throughout the Province, or, if the Court so directs, throughout the Presidencies of Bengal, Bombay and Madras, or any part thereof, as probate or letters of administration granted to the Administrator General by the High Court at a Presidency-town would or might have had:

(iv) in the foregoing provisions of this Act the word "Presidency" shall be deemed to include a Province, and the expression "Presidency-town" the place of sitting of the Court appointed by the Governor General in Council under clause (*iii*) of this sub-section:

(v) generally, the provisions of the foregoing sections of this Act with respect to the High Court at a Presidency-town and the provisions of those sections or of any other enactment with respect to the Administrator General of a Presidency shall, in relation to a Province, be construed, so far as may be, to apply to the Court and Administrator General, respectively, appointed for the Province under this section.

(*2*) Any proceeding which was commenced before the publication of the notification constituting the Province and, to or in which the Administrator General of any Presidency within which any of the territories constituted into a Province were situate was a party or was otherwise concerned, shall be continued as if the notification had not been published.

(*3*) If, by reason of the constitution of Provinces for the purposes of this Act, it appears to the Governor General in Council that any property vested in the Administrator General of any Presidency should be vested in the Administrator General of a Province, he may direct that the property shall be so vested, and thereupon it shall vest in the Administrator General of the Province as fully and effectually for the purposes of this Act as if probate or letters of administration had been granted to him originally.

(*4*) If in accordance with the provisions of this section territories have been removed from the Presidency of Bengal and constituted a Province for the purposes of this Act, the Governor General in Council may, by notification in the Gazette of India, direct that as regards the Presidency of Bengal excluding the territories so removed, the powers and duties of the Government under this Act shall be exercised and discharged by the Local Government of Bengal, and that the official Gazette shall be the Calcutta Gazette.

(*5*) Upon the rescission of a notification constituting a Province under sub-section (*1*), the territories comprised therein shall again form part of the Presidency within which they were originally included, the office of Administrator General of the Province shall determine and all properties vested in and all proceedings by or against such Administrator General pending at the date of the rescission shall vest in and be carried on by or against such Administrator General or Administrators General as the Governor General in Council may direct.

59. Nothing in this Act shall be deemed to affect the provisions of the Indian Registration Act, 1908. XVI of 1908.

Saving of provisions of Indian Registration Act, 1908.

60. The enactments specified in the Schedule are hereby repealed to the extent specified in the third column thereof:

Repeals.

Provided that any administration, by or in pursuance of any Act hereby repealed, committed to any Administrator General at the commencement of this Act shall be deemed to be committed to the Administrator General under this Act.

THE SCHEDULE.

ENACTMENTS REPEALED.

(See section 60.)

Number and year.	Short title.	Extent of repeal.
II of 1874 .	The Administrator General's Act, 1874.	So much as has not been repealed.
IX of 1881 .	The Administrator General's Act, 1881.	Ditto.
II of 1890 .	The Probate and Administration Act, 1890.	So much of the Title and Preamble as relates to the Administrator General's Act, 1874, and sections 10 to 15.
XII of 1891 .	The Amending Act, 1891.	So much as relates to Act II of 1874.
VII of 1901 .	The Native Christian Administration of Estates Act, 1901.	In the Preamble the words "to exempt them from . . . are exempted" and section 4.
V of 1902 .	The Administrators General and Official Trustees Act, 1902.	So far as it relates to Administrators General and Deputy Administrators General.

W. H. VINCENT,

Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MARCH 14, 1913.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of the Governor General on the 7th March, 1913, and is hereby promulgated for general information :—

ACT NO. V OF 1913.

An Act to prohibit the importation, manufacture and sale of matches made with white phosphorus.

WHEREAS it is expedient to prohibit the importation, manufacture and sale of matches made with white phosphorus; It is hereby enacted as follows :—

Short title, extent and commencement.

1. (*1*) This Act may be called the White Phosphorus Matches Prohibition Act, 1913.

(*2*) It extends to the whole of British India; and

(*3*) It shall come into force on the first day of July, 1913, with the exception of section 6, which shall come into force on the first day of July, 1914.

Definition. phosphorus.

2. In this Act, "white phosphorus" means the substance commonly known as white or yellow phosphorus.

Prohibition of importation by addition to section 18, Act VIII of 1878.

3. To section 18 of the Sea Customs Act, 1878, the following clause shall be added, namely :—

"(*g*) matches made with white phosphorus."

Prohibition of use of white phosphorus in manufacture of matches.

4. (*1*) No person shall use white phosphorus in the manufacture of matches.

(*2*) Any person who uses, or permits the use by any person under his control of, white phosphorus in the manufacture of matches, shall be punishable with fine which may extend to two hundred rupees.

Power of Inspector of Factories to take samples of material used in manufacture.

5. (*1*) Every person who manufactures matches shall allow an Inspector of Factories appointed under the Indian Factories Act, 1911, at any time to take for analysis sufficient samples of any material in use, or mixed for use, in such manufacture : XII of 1911

Provided that any such person may, at the time the sample is taken, and on providing the necessary appliances, require the Inspector to divide the sample so taken into two parts, and to mark, seal and deliver to him one part.

(*2*) Any person who refuses to permit any such Inspector of Factories as aforesaid to take a sample, in accordance with the provisions of sub-section (*1*), shall be punishable with fine which may extend to two hundred rupees.

Prohibition of sale.

6. (*1*) No person shall sell, or offer or expose for sale, or have in his possession for the purposes of sale, any matches made with white phosphorus.

(*2*) Any person who contravenes the provisions of sub-section (*1*) may, on complaint to a *Presidency* Magistrate, *Subdivisional Magistrate or Magistrate of the first class,* be ordered to forfeit any such matches in his possession, and any matches so forfeited shall be destroyed or otherwise dealt with as the Magistrate may direct.

W. H. VINCENT,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of the Governor General on the 7th March, 1913, and is hereby promulgated for general information :—

ACT NO. VI OF 1913.

An Act to declare the rights of Mussalmans to make settlements of property by way of "wakf" in favour of their families, children and descendants.

WHEREAS doubts have arisen regarding the validity of wakfs created by persons professing the Mussalman faith in favour of themselves, their families, children and descendants and ultimately for the benefit of the poor or for other religious, pious or charitable purposes; and whereas it is expedient to remove such doubts ; It is hereby enacted as follows :—

Short title and extent.

1. (*1*) This Act may be called the Mussalman Wakf Validating Act, 1913.

(*2*) It extends to the whole of British India.

Definitions.

2. In this Act unless there is anything repugnant in the subject or context,—

(*1*) "Wakf" means the permanent dedication by a person professing the Mussalman faith of any property for any purpose recognized by the Mussalman law as religious, pious or charitable.

(*2*) "Hanafi Mussalman" means a follower of the Mussalman faith who conforms to the tenets and doctrines of the Hanafi school of Mussalman law.

Power of Mussalmans to create certain wakfs.

3. It shall be lawful for any person professing the Mussalman faith to create a wakf which in all other respects is in accordance with the provisions of Mussalman law, for the following among other purposes :—

(*a*) for the maintenance and support wholly or partially of his family, children or descendants, and

(*b*) where the person creating a wakf is a Hanafi Mussalman, also for his own maintenance and support during his lifetime or for the payment of his debts out of the rents and profits of the property dedicated :

Provided that the ultimate benefit is in such cases expressly or impliedly reserved for the poor or for any other purpose recognised by the Mussalman law as a religious, pious or charitable purpose of a permanent character.

Wakfs not to be invalid by reason of remoteness of benefit to poor, etc.

4. No such wakf shall be deemed to be invalid merely because the benefit reserved therein for the poor or other religious, pious or charitable purpose of a permanent nature is postponed until after the extinction of the family, children or descendants of the person creating the wakf.

Saving of local and sectarian custom.

5. Nothing in this Act shall affect any custom or usage whether local or prevalent among Mussalmans of any particular class or sect.

W. H. VINCENT,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of the Governor General on the 7th March, 1913, and is hereby promulgated for general information:—

ACT NO. VI OF 1913.

An Act to declare the rights of Mussalmans to make settlements of property by way of "wakf" in favour of their families, children and descendants.

Whereas doubts have arisen regarding the validity of wakfs created by persons professing the Mussalman faith in favour of themselves, their families, children and descendants and ultimately for the benefit of the poor or for other religious, pious or charitable purposes; And whereas it is expedient to remove such doubts; It is hereby enacted as follows:—

1. (1) This Act may be called the Mussalman Wakf Validating Act, 1913.

(2) It extends to the whole of British India.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) "Wakf" means the permanent dedication by a person professing the Mussalman faith of any property for any purpose recognized by the Mussalman law as religious, pious or charitable.

(2) "Hanafi Mussalman" means a follower of the Mussalman faith who conforms to the tenets and doctrines of the Hanafi school of Mussalman law.

3. It shall be lawful for any person professing the Mussalman faith to create a wakf which in all other respects is in accordance with the provisions of Mussalman law, for the following among other purposes:—

Power of Mussalmans to create certain wakfs.

(a) for the maintenance and support wholly or partially of his family, children or descendants, and

(b) where the person creating a wakf is a Hanafi Mussalman, also for his own maintenance and support during his lifetime or for the payment of his debts out of the rents and profits of the property dedicated:

Provided that the ultimate benefit is in such cases expressly or impliedly reserved for the poor or for any other purpose recognized by the Mussalman law as a religious, pious or charitable purpose of a permanent character.

4. No such wakf shall be deemed to be invalid merely because the benefit reserved therein for the poor or other religious, pious or charitable purpose of a permanent nature is postponed until after the extinction of the family, children or descendants of the person creating the wakf.

Wakfs not to be invalid by reason of remoteness of benefit to poor, etc.

5. Nothing in this Act shall affect any custom or usage whether local or prevalent among Mussalmans of any particular class or sect.

Saving of local and sectarian custom.

W. H. VINCENT,
Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, APRIL 11, 1913.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of the Governor General on the 27th March, 1913, and is hereby promulgated for general information :—

ACT No. VII OF 1913.

THE INDIAN COMPANIES ACT, 1913.

CONTENTS.

SECTIONS.

PART XI.

SUPPLEMENTAL.

Legal proceedings, offences, etc.

278. Cognizance of offences.
279. Applications of fines.
280. Power to require limited company to give security for costs.
281. Power of Court to grant relief in certain cases.
282. Penalty for false statement.
283. Penalty for improper use of word "Limited."
284. Saving of pending proceedings for winding up.
285. Saving of document.
286. Former registration offices, registers and registrars continued.
287. Savings for Indian Life Assurance Company's Act, 1912, and Provident Insurance Societies Act, 1912.
288. Construction of "registrar of joint-stock companies" in Act XXI of 1860.
289. Act not to apply to Banks of Bengal, Madras or Bombay.
290. Repeal of Acts and Savings.

THE SCHEDULES.

THE FIRST SCHEDULE.
THE SECOND SCHEDULE.
THE THIRD SCHEDULE.
THE FOURTH SCHEDULE.

The Indian Companies Act, 1913.

(Part I.—Preliminary.—Sections 1-3. Part II.—Constitution and Incorporation—Section 4.)

An Act to consolidate and amend the law relating to Trading Companies and other Associations.

WHEREAS it is expedient to consolidate and amend the law relating to Trading Companies and other associations; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

1. (*1*) This Act may be called the Indian Companies Act, 1913.

Short title, commencement and extent.

(*2*) It shall come into force on the first day of April 1914; and

(*3*) It extends to the whole of British India including British Baluchistan and the Santhal Parganas.

2. In this Act, unless there is anything repugnant in the subject or context,—

Definitions.

(*1*) "articles" means the articles of association of a company as originally framed or as altered by special resolution, including, so far as they apply to the company, the regulations contained (as the case may be) in Table B in the Schedule annexed to Act No. XIX of 1857 or in Table A in the First Schedule annexed to the Indian Companies Act, 1882, or in Table A in the First Schedule annexed to this Act:

(*2*) "company" means a company formed and registered under this Act or an existing company:

(*3*) "the Court" means the Court having jurisdiction under this Act:

(*4*) "debenture" includes debenture stock:

(*5*) "director" includes any person occupying the position of a director by whatever name called:

(*6*) "District Court" means the principal Civil Court of original jurisdiction in a district, but does not include a High Court in the exercise of its ordinary original civil jurisdiction:

(*7*) "existing company" means a company formed and registered under the Indian Companies Act, 1866, or under any Act or Acts repealed thereby, or under the Indian Companies Act, 1882:

(*8*) "Insurance company" means a company that carries on the business of insurance either solely or in common with any other business or businesses:

(*9*) "manager" includes any person occupying the position of a manager by whatever name called and whether under a contract of service or not:

(*10*) "memorandum" means the memorandum of association of a company as originally framed or as altered in pursuance of the provisions of this Act:

(*11*) "officer" includes any director, manager or secretary but, save in sections 235, 236, and 237, does not include an auditor.

(*12*) "prescribed" means, as respects the provisions of this Act relating to the winding up of companies, prescribed by rules made by the High Court, and as respects the other provisions of this Act, prescribed by the Governor General in Council:

(*13*) "private company" means a company which

(i) by its articles—

(*a*) restricts the right to transfer its shares; and

(*b*) limits the number of its members (exclusive of persons who are in the employ of the company) to fifty; and

(*c*) prohibits any invitation to the public to subscribe for any shares or debentures of the company: and

(ii) continues to observe such restrictions, limitations and prohibitions:

Provided that where two or more persons hold one or more shares in a company jointly they shall, for the purposes of this definition, be considered as a single member:

(*14*) "prospectus" means any prospectus, notice, circular, advertisement or other invitation, offering to the public for subscription or purchase any shares or debentures of a company:

(*15*) "the registrar" means a registrar or assistant registrar performing under this Act the duty of registration of companies: and

(*16*) "share" means share in the share capital of the company, and includes stock except when a distinction between stock and shares is expressed or implied.

3. (*1*) The Court having jurisdiction under this Act shall be the High Court having jurisdiction in the place at which the registered office of the company is situate:

Jurisdiction of the Courts.

Provided that the Local Government may, by notification in the local official Gazette and subject to such restrictions and conditions as it thinks fit, empower any District Court to exercise all or any of the jurisdiction by this Act conferred upon the Court, and in that case such District Court shall, as regards the jurisdiction so conferred, be the Court in respect of all companies having their registered offices in the district.

(*2*) For the purposes of jurisdiction to wind up companies, the expression 'registered office' means the place which has longest been the registered office of the company during the six months immediately preceding the presentation of the petition for winding up.

(*3*) Nothing in this section shall invalidate a proceeding by reason of its being taken in a wrong Court.

PART II.

CONSTITUTION AND INCORPORATION.

4. (*1*) No company, association or partnership consisting of more than ten persons shall be formed for the purpose of carrying on the business of banking unless it is registered as a

Prohibition of partnerships exceeding certain number.

The Indian Companies Act, 1913.

(*Part II.—Constitution and Incorporation.—Sections 5-11.*)

company under this Act, or is formed in pursuance of an Act of Parliament or some other Act of the Governor General in Council, or of Royal Charter or Letters Patent.

(2) No company, association or partnership consisting of more than twenty persons shall be formed for the purpose of carrying on any other business that has for its object the acquisition of gain by the company, association or partnership, or by the individual members thereof, unless it is registered as a company under this Act, or is formed in pursuance of an Act of Parliament or some other Act of the Governor General in Council or of Royal Charter or Letters Patent.

Memorandum of Association.

Mode of forming incorporated company.

5. Any seven or more persons (or, where the company to be formed will be a private company, any two or more persons) associated for any lawful purpose may, by subscribing their names to a memorandum of association and otherwise complying with the requirements of this Act in respect of registration, form an incorporated company, with or without limited liability (that is to say), either—

(*i*) a company having the liability of its members limited by the memorandum to the amount, if any, unpaid on the shares respectively held by them (in this Act termed a company limited by shares) ; or

(*ii*) a company having the liability of its members limited by the memorandum to such amount as the members may respectively thereby undertake to contribute to the assets of the company in the event of its being wound up (in this Act termed a company limited by guarantee) ; or

(*iii*) a company not having any limit on the liability of its members (in this Act termed an unlimited company).

Memorandum of company limited by shares.

6. In the case of a company limited by shares—

(1) the memorandum shall state—

(*i*) the name of the company, with "Limited" as the last word in its name ;

(*ii*) the province in which the registered office of the company is to be situate ;

(*iii*) the objects of the company ;

(*iv*) that the liability of the members is limited ;

(*v*) the amount of share capital with which the company proposes to be registered, and the division thereof into shares of a fixed amount :

(2) no subscriber of the memorandum shall take less than one share :

(3) each subscriber shall write opposite to his name the number of shares he takes.

Memorandum of company limited by guarantee.

7. In the case of a company limited by guarantee—

(1) the memorandum shall state—

(*i*) the name of the company, with "Limited" as the last word in its name ;

(*ii*) the province in which the registered office of the company is to be situate ;

(*iii*) the objects of the company ;

(*iv*) that the liability of the members is limited ;

(*v*) that each member undertakes to contribute to the assets of the company in the event of its being wound up while he is a member, or within one year afterwards, for payment of the debts and liabilities of the company contracted before he ceases to be a member, and of the costs, charges and expenses of winding up, and for adjustment of the rights of the contributories among themselves, such amount as may be required, not exceeding a specified amount :

(2) if the company has a share capital—

(*i*) the memorandum shall also state the amount of share capital with which the company proposes to be registered and the division thereof into shares of a fixed amount ;

(*ii*) no subscriber of the memorandum shall take less than one share ;

(*iii*) each subscriber shall write opposite to his name the number of shares he takes.

Memorandum of unlimited company.

8. In the case of an unlimited company—

(1) the memorandum shall state—

(*i*) the name of the company ;

(*ii*) the province in which the registered office of the company is to be situate ;

(*iii*) the objects of the company ;

(2) if the company has a share capital—

(*i*) no subscriber of the memorandum shall take less than one share ;

(*ii*) each subscriber shall write opposite to his name the number of shares he takes.

Signature of memorandum.

9. The memorandum shall be signed by each subscriber in the presence of at least one witness who shall attest the signature.

Restriction on alteration of memorandum.

10. A company shall not alter the conditions contained in its memorandum except in the cases and in the mode and to the extent for which express provision is made in this Act.

Name of company and change of name.

11. (*1*) A company shall not be registered by a name identical with that by which a company in existence is already registered, or so nearly resembling that name as to be calculated to deceive, except where the company in existence is in the course of being dissolved and signifies its consent in such manner as the registrar requires.

(*2*) If a company, through inadvertence or otherwise, is, without such consent as aforesaid, registered by a name identical with that by which a company in existence is previously registered, or so nearly resembling it as to be calculated to deceive, the first-mentioned company may, with the sanction of the registrar, change its name.

The Indian Companies Act, 1913.

(Part II.—Constitution and Incorporation.—Sections 12-16.)

(3) A company shall not be registered by a name which contains any of the following words, namely :—"Crown", "Emperor", "Empire", "Empress", "Imperial", "King", "Queen", "Royal", or words expressing or implying the sanction, approval or patronage of the Crown or the Government of India or a Local Government, except where the Governor General in Council signifies his consent to the use of such words as part of the name of the company by order in writing under the hand of one of the Secretaries to the Government of India :

Provided that nothing in this sub-section shall apply to companies registered before the commencement of this Act.

(4) Any company may, by special resolution and subject to the approval of the Local Government signified in writing, under the hand of one of the Secretaries to such Government, change its name.

(5) Where a company changes its name, the registrar shall enter the new name on the register in place of the former name, and shall issue a certificate of incorporation altered to meet the circumstances of the case. On the issue of such a certificate, the change of name shall be complete.

(6) The change of name shall not affect any rights or obligations of the company, or render defective any legal proceedings by or against the company; and any legal proceedings that might have been continued or commenced against it by its former name may be continued or commenced against it by its new name.

Alteration of memorandum.

12. (1) Subject to the provisions of this Act, a company may, by special resolution, alter the provisions of its memorandum so as to change the place of the registered office from one province to another, or with respect to the objects of the company, so far as may be required to enable it—

(a) to carry on its business more economically or more efficiently ; or

(b) to attain its main purpose by new or improved means ; or

(c) to enlarge or change the local area of its operations ; or

(d) to carry on some business which under existing circumstances may conveniently or advantageously be combined with the business of the company ; or

(e) to restrict or abandon any of the objects specified in the memorandum.

(2) The alteration shall not take effect until and except in so far as it is confirmed by the Court on petition.

(3) Before confirming the alteration, the Court must be satisfied—

(a) that sufficient notice has been given to every holder of debentures of the company, and to any persons or class of persons whose interests will, in the opinion of the Court, be affected by the alteration ; and

(b) that, with respect to every creditor who in the opinion of the Court is entitled to object, and who signifies his objection in manner directed by the Court, either his consent to the alteration has been obtained or his debt or claim has been discharged or has determined, or has been secured to the satisfaction of the Court :

Provided that the Court may, in the case of any person or class, for special reasons, dispense with the notice required by this section.

Power of Court when confirming alteration.

13. The Court may make an order confirming the alteration either wholly or in part, and on such terms and conditions as it thinks fit, and may make such order as to costs as it thinks proper.

Exercise of discretion by Court.

14. The Court shall, in exercising its discretion under sections 12 and 13, have regard to the rights and interests of the members of the company or of any class of them, as well as to the rights and interest of the creditors, and may, if it thinks fit, adjourn the proceedings in order that an arrangement may be made to the satisfaction of the Court for the purchase of the interests of dissentient members ; and may give such directions and make such orders as it may think expedient for facilitating or carrying into effect any such arrangement :

Provided that no part of the capital of the company may be expended in any such purchase.

Procedure on confirmation of the alteration.

15. (1) A certified copy of the order confirming the alteration, together with a printed copy of the memorandum as altered, shall, within three months from the date of the order, be filed by the company with the registrar, and he shall register the same, and shall certify the registration under his hand, and the certificate shall be conclusive evidence that all the requirements of this Act with respect to the alteration and the confirmation thereof have been complied with, and thenceforth the memorandum so altered shall be the memorandum of the company.

(2) Where the alteration involves a transfer of the registered office from one province to another, a certified copy of the order confirming such change shall be filed by the company with the registrar in each of such provinces, and each of such registrars shall register the same, and shall certify under his hand the registration thereof, and the registrar for the province from which such office is transferred shall send to the registrar for the other province all documents relating to the company registered or filed in his office.

(3) The Court may by order at any time extend the time for the filing of documents with the registrar under this section for such period as the Court thinks proper.

Effect of failure to register within three months.

16. No such alteration shall have any operation until registration thereof has been duly effected in accordance with the provisions of section 15, and if such registration is not effected within three months next after the date of the order of the Court confirming the alteration, or within such further time as may be allowed by the Court in accordance with the provisions of section 15, such alteration and order and all

The Indian Companies Act, 1913.

(Part II.—Constitution and Incorporation.—Sections 17-25.)

proceedings connected therewith shall, at the expiration of such period of three months or such further time, as the case may be, become absolutely null and void:

Provided that the Court may, on sufficient cause shown, revive the order on application made within a further period of one month.

Articles of Association.

Registration of articles.

17. (*1*) There may, in the case of a company limited by shares, and there shall, in the case of a company limited by guarantee or unlimited, be registered with the memorandum, articles of association signed by the subscribers to the memorandum and prescribing regulations for the company.

(*2*) Articles of association may adopt all or any of the regulations contained in Table A in the First Schedule.

(*3*) In the case of an unlimited company or a company limited by guarantee, the articles, if the company has a share capital, shall state the amount of share capital with which the company proposes to be registered.

(*4*) In the case of an unlimited company or a company limited by guarantee, if the company has not a share capital, the articles shall state the number of members with which the company proposes to be registered, for the purpose of enabling the registrar to determine the fees payable on registration.

Application of Table A.

18. In the case of a company limited by shares and registered after the commencement of this Act, if articles are not registered, or, if articles are registered, in so far as the articles do not exclude or modify the regulations in Table A in the First Schedule, those regulations shall, so far as applicable, be the regulations of the company in the same manner and to the same extent as if they were contained in duly registered articles.

Form and signature of articles.

19. Articles shall—

(*a*) be printed;

(*b*) be divided into paragraphs numbered consecutively; and

(*c*) be signed by each subscriber of the memorandum of association in the presence of at least one witness who must attest the signature.

Alteration of articles by special resolution.

20. (*1*) Subject to the provisions of this Act and to the conditions contained in its memorandum, a company may by special resolution alter or add to its articles; and any alteration or addition so made shall be as valid as if originally contained in the articles, and be subject in like manner to alteration by special resolution.

(*2*) The power of altering articles under this section shall, in the case of any company formed and registered under Act No. XIX of 1857 and Act No. VII of 1860 or either of them, extend to altering any provisions in Table B annexed to Act XIX of 1857, and shall also, in the case of an unlimited company formed and registered under the said Acts or either of them, extend to altering any regulations relating to the amount of capital or its distribution into shares, notwithstanding that those regulations are contained in the memorandum.

General Provisions.

Effect of memorandum and articles.

21. (*1*) The memorandum and articles shall, when registered, bind the company and the members thereof to the same extent as if they respectively had been signed by each member and contained a covenant on the part of each member, his heirs, and legal representatives, to observe all the provisions of the memorandum and of the articles, subject to the provisions of this Act.

(*2*) All money payable by any member to the company under the memorandum or articles shall be a debt due from him to the company.

Registration of memorandum and articles.

22. The memorandum and the articles (if any) shall be filed with the registrar for the province in which the registered office of the company is stated by the memorandum to be situate, and he shall retain and register them.

Effect of registration.

23. (*1*) On the registration of the memorandum of a company, the registrar shall certify under his hand that the company is incorporated, and in the case of a limited company that the company is limited.

(*2*) From the date of incorporation mentioned in the certificate of incorporation, the subscribers of the memorandum, together with such other persons as may from time to time become members of the company, shall be a body corporate by the name contained in the memorandum, capable forthwith of exercising all the functions of an incorporated company, and having perpetual succession and a common seal, but with such liability on the part of the members to contribute to the assets of the company in the event of its being wound up as is mentioned in this Act.

Conclusiveness of certificate of incorporation.

24. (*1*) A certificate of incorporation given by the registrar in respect of any association shall be conclusive evidence that all the requirements of this Act in respect of registration and of matters precedent and incidental thereto have been complied with, and that the association is a company authorised to be registered and duly registered under this Act.

(*2*) A declaration by an advocate, attorney or pleader entitled to appear before a High Court who is engaged in the formation of a company, or by a person named in the articles as a director, manager or secretary of the company, of compliance with all or any of the said requirements shall be filed with the registrar, and the registrar may accept such a declaration as sufficient evidence of compliance.

Copies of memorandum and articles to be given to members.

25. (*1*) Every company shall send to every member, at his request, and on payment of one rupee or such less sum as the company may prescribe, a copy of the memorandum and of the articles (if any).

(*2*) If a company makes default in complying with the requirements of this section, it shall be liable for each offence to a fine not exceeding ten rupees.

The Indian Companies Act, 1913.

(Part II.—Constitution and Incorporation.—Sections 26-32.)

Associations not for Profit.

Power to dispense with "Limited" in name of charitable and other companies.

26. (1) Where it is proved to the satisfaction of the Local Government that an association capable of being formed as a limited company has been or is about to be formed for promoting commerce, art, science, charity, or any other useful object, and applies or intends to apply its profits (if any) or other income in promoting its objects, and to prohibit the payment of any dividend to its members, the Local Government may, by license under the hand of one of its Secretaries, direct that the association be registered as a company with limited liability, without the addition of the word "Limited" to its name, and the association may be registered accordingly.

(2) A license by the Local Government under this section may be granted on such conditions and subject to such regulations as the Local Government thinks fit, and those conditions and regulations shall be binding on the association, and shall, if the Local Government so directs, be inserted in the memorandum and articles, or in one of those documents.

(3) The association shall on registration enjoy all the privileges of limited companies, and be subject to all their obligations, except those of using the word "Limited" as any part of its name, and of publishing its name, and of filing lists of members and directors and managers with the registrar.

(4) A license under this section may at any time be revoked by the Local Government, and upon revocation the registrar shall enter the word "Limited" at the end of the name of the association upon the register, and the association shall cease to enjoy the exemptions and privileges granted by this section :

Provided that, before a license is so revoked, the Local Government shall give to the association notice in writing of its intention, and shall afford the association an opportunity of submitting a representation in opposition to the revocation.

Companies limited by Guarantee.

Provision as to companies limited by guarantee.

27. (1) In the case of a company limited by guarantee and not having a share capital, and registered after the commencement of this Act, every provision in the memorandum or articles or in any resolution of the company purporting to give any person a right to participate in the divisible profits of the company otherwise than as a member shall be void.

(2) For the purpose of the provisions of this Act relating to the memorandum of a company limited by guarantee and of this section, every provision in the memorandum or articles, or in any resolution, of any company limited by guarantee and registered after the commencement of this Act, purporting to divide the undertaking of the company into shares or interests, shall be treated as a provision for a share capital, notwithstanding that the nominal amount or number of the shares or interests is not specified thereby.

PART III.

SHARE CAPITAL, REGISTRATION OF UNLIMITED COMPANY AS LIMITED AND UNLIMITED LIABILITY OF DIRECTORS.

Distribution of Share Capital.

Nature of shares.

28. (1) The shares or other interest of any member in a company shall be moveable property, transferable in manner provided by the articles of the company.

(2) Each share in a company having a share capital shall be distinguished by its appropriate number.

Certificate of shares or stock.

29. A certificate, under the common seal of the company, specifying any shares or stock held by any member, shall be *primá facie* evidence of the title of the member to the shares or stock therein specified.

Definition of "member."

30. (1) The subscribers of the memorandum of a company shall be deemed to have agreed to become members of the company, and on its registration shall be entered as members in its register of members.

(2) Every other person who agrees to become a member of a company, and whose name is entered in its register of members, shall be a member of the company.

Register of members.

31. (1) Every company shall keep in one or more books a register of its members, and enter therein the following particulars :—

(i) the names and addresses, and the occupations, if any, of the members, and, in the case of a company having a share capital, a statement of the shares held by each member, distinguishing each share by its number, and of the amount paid or agreed to be considered as paid on the shares of each member ;

(ii) the date at which each person was entered in the register as a member ;

(iii) the date at which any person ceased to be a member.

(2) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues ; and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

Annual list of members and summary.

32. (1) Every company having a share capital shall once at least in every year make a list of all persons who on the day of the first or only ordinary general meeting in the year, are members of the company, and of all persons who have ceased to be members since the date of the last return or (in the case of the first return) of the incorporation of the company.

The Indian Companies Act, 1913.

(Part III.—Share Capital, Registration of Unlimited Company as Limited and Unlimited Liability of Directors.—Sections 32-38.)

(2) The list shall state the names, addresses, and occupations of all the past and present members therein mentioned, and the number of shares held by each of the existing members at the date of the return, specifying shares transferred since the date of the last return or (in the case of the first return) of the incorporation of the company by persons who are still members and persons who have ceased to be members respectively and the dates of registration of the transfers, and shall contain a summary distinguishing between shares issued for cash and shares issued as fully or partly paid up otherwise than in cash, and specifying the following particulars :—

(*a*) the amount of the share capital of the company, and the number of the shares into which it is divided;

(*b*) the number of shares taken from the commencement of the company up to the date of the return;

(*c*) the amount called up on each share;

(*d*) the total amount of calls received;

(*e*) the total amount of calls unpaid;

(*f*) the total amount of the sums (if any) paid by way of commission in respect of any shares or debentures, or allowed by way of discount in respect of any debentures, since the date of the last return;

(*g*) the total number of shares forfeited;

(*h*) the total amount of shares or stock for which share-warrants are outstanding at the date of the return;

(*i*) the total amount of share-warrants issued and surrendered respectively since the date of the last return;

(*k*) the number of shares or amount of stock comprised in each share-warrant;

(*l*) the names and addresses of the persons who at the date of the return are the directors of the company and of the persons (if any) who at the said date are the managers of the company; and

(*m*) the total amount of debt due from the company in respect of all mortgages and charges which are required to be registered with the registrar under this Act.

(3) The above list and summary shall be contained in a separate part of the register of members, and shall be completed within seven days after the day of the first or only ordinary general meeting in the year, and the company shall forthwith file with the registrar a copy signed by a director or by the manager or the secretary of the company, together with a certificate from such director, manager or secretary that the list and summary state the facts as they stood on the day aforesaid.

(4) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues, and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

Trusts not to be entered on register.

33. No notice of any trust, expressed, implied or constructive, shall be entered on the register, or be receivable by the registrar.

Registration of transfer at request of transferor.

34. On the application of the transferor of any share or interest in a company, the company shall enter in its register of members the name of the transferee in the same manner and subject to the same conditions as if the application for the entry were made by the transferee.

Transfer by legal representative.

35. A transfer of the share or other interest of a deceased member of a company made by his legal representative shall, although the legal representative is not himself a member be as valid as if he had been a member at the time of the execution of the instrument of transfer.

Inspection of register of members.

36. (1) The register of members, commencing from the date of the registration of the company, shall be kept at the registered office of the company, and, except when closed under the provisions of this Act, shall during business hours (subject to such reasonable restrictions, as the company in general meeting may impose, so that not less than two hours in each day be allowed for inspection) be open to the inspection of any member gratis, and to the inspection of any other person on payment of one rupee, or such less sum as the company may prescribe, for each inspection.

(2) Any member or other person may require a copy of the register, or of any part thereof, or of the list and summary required by this Act, or any part thereof, on payment of six annas for every hundred words or fractional part thereof required to be copied.

(3) If any inspection or copy required under this section is refused, the company shall be liable for each refusal to a fine not exceeding twenty rupees and to a further fine not exceeding twenty rupees for every day during which the refusal continues, and every officer of the company who knowingly authorises or permits the refusal shall be liable to the like penalty, and the Court may by order compel an immediate inspection of the register.

Power to close register.

37. A company may, on giving notice by advertisement in some newspaper circulating in the district in which the registered office of the company is situate, close the register of members for any time or times not exceeding in the whole thirty days in each year.

Power of Court to rectify register.

38. (1) If—

(*a*) the name of any person is fraudulently or without sufficient cause entered in or omitted from the register of members of a company; or

(*b*) default is made or unnecessary delay takes place in entering on the register the fact of any person having ceased to be a member,

the person aggrieved, or any member of the company, or the company, may apply to the Court for rectification of the register.

(2) The Court may either refuse the application, or may order rectification of the register and payment by the company of any damages sustained

The Indian Companies Act, 1913.

(Part III.—Share Capital, Registration of Unlimited Company as Limited and Unlimited Liability of Directors.—Sections 39-47.)

by any party aggrieved, and may make such order as to costs as it in its discretion thinks fit.

(3) On any application under this section the Court may decide any question relating to the title of any person who is a party to the application to have his name entered in or omitted from the register, whether the question arises between members or alleged members, or between members or alleged members on the one hand and the company on the other hand; and generally may decide any question necessary or expedient to be decided for rectification of the register:

Provided that the Court may direct an issue to be tried in which any question of law may be raised; and an appeal from the decision on such an issue shall lie in the manner directed by the Court of Civil Procedure, 1908, on the grounds mentioned in section 100 of that Code.

Notice to registrar of rectification of register.

39. In the case of a company required by this Act to file a list of its members with the registrar, the Court, when making an order for rectification of the register, shall, by its order, direct notice of the rectification to be filed with the registrar.

Register to be evidence.

40. The register of members shall be *primâ facie* evidence of any matters by this Act directed or authorised to be inserted therein.

Power for company to keep branch register in the United Kingdom.

41. (*1*) A company having a share capital may, if so authorised by its articles, cause to be kept in the United Kingdom a branch register of members (in this Act called a British register).

(*2*) The company shall, within one month from the date of the opening of any British register, file with the registrar notice of the situation of the office where such register is kept and, in the event of any change in the situation of such office or of its discontinuance, shall within one month from the date of such change or discontinuance, as the case may be, file notice of such change or discontinuance.

(*3*) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Regulations as to British register.

42. (*1*) A British register shall be deemed to be part of the company's register of members (in this section called the principal register).

(*2*) It shall be kept in the same manner in which the principal register is by this Act required to be kept, except that the advertisement before closing the register shall be inserted in some newspaper circulating in the locality wherein the British register is kept.

(*3*) The company shall transmit to its registered office in India a copy of every entry in its British register as soon as may be after the entry is made; and shall cause to be kept at such office, duly entered up from time to time, a duplicate of its British register, and the duplicate shall, for all the purposes of this Act, be deemed to be part of the principal register.

(*4*) Subject to the provisions of this section with respect to the duplicate register, the shares registered in a British register shall be distinguished from the shares registered in the principal register, and no transaction with respect to any shares registered in a British register shall, during the continuance of that registration, be registered in any other register.

(*5*) The company may discontinue to keep any British register, and thereupon all entries in that register shall be transferred to the principal register.

(*6*) Subject to the provisions of this Act, any company may, by its articles, make such regulations as it may think fit respecting the keeping of a British register.

Issue of share-warrants to bearer.

43. A company limited by shares, if so authorised by its articles, may, with respect to any fully paid-up shares, or to stock, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the shares or stock therein specified, and may provide by coupons or otherwise, for the payment of the future dividends on the shares or stock included in the warrant, in this Act termed a share-warrant.

Effect of share-warrant.

44. A share-warrant shall entitle the bearer thereof to the shares or stock therein specified, and the shares or stock may be transferred by delivery of the warrant.

Registration of name of bearer of share-warrant.

45. The bearer of a share-warrant shall, subject to the articles of the company, be entitled, on surrendering it for cancellation to have his name entered as a member in the register of members; and the company shall be responsible for any loss incurred by any person by reason of the company entering in its register the name of a bearer of a share-warrant in respect of the shares or stock therein specified without the warrant being surrendered and cancelled.

Position of bearer of share-warrant.

46. The bearer of a share-warrant may, if the articles of the company so provide, be deemed to be a member of the company within the meaning of this Act, either to the full extent or for any purposes defined in the articles, except that he shall not be qualified in respect of the shares or stock specified in the warrant for being a director or manager of the company, in cases where such a qualification is required by the articles.

Entries in register when share-warrant issued.

47. (*1*) On the issue of a share-warrant, the company shall strike out of its register of members the name of the member then entered therein as holding the shares or stock specified in the warrant as if he had ceased to be a member, and shall enter in the register the following particulars, namely:—

(i) the fact of the issue of the warrant;

(ii) a statement of the shares or stock included in the warrant, distinguishing each share by its number; and

(iii) the date of the issue of the warrant.

(*2*) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every

The Indian Companies Act, 1913.

(Part III.—Share Capital, Registration of Unlimited Company as Limited and Unlimited Liability of Directors.—Sections 48-54.)

day during which the default continues, and every officer of the company who knowingly and wilfully continues or permits the default shall be liable to the like penalty.

Surrender of share-warrant.

48. Until the warrant is surrendered, the above particulars shall be deemed to be the particulars required by this Act to be entered in the register of members; and, on the surrender, the date of the surrender shall be entered as if it were the date at which a person ceased to be a member.

Power of company to arrange for different amounts being paid on shares.

49. A company, if so authorised by its articles, may do any one or more of the following things, namely :—

(1) make arrangements on the issue of shares for a difference between the shareholders in the amounts and times of payment of calls on their shares ;

(2) accept from any member who assents thereto the whole or a part of the amount remaining unpaid on any shares held by him although no part of that amount has been called up ;

(3) pay dividend in proportion to the amount paid up on each share where a larger amount is paid up on some shares than on others.

Power of company limited by shares to alter its share capital.

50. (*1*) A company limited by shares, if so authorised by its articles, may alter the conditions of its memorandum as follows, (that is to say), it may—

(*a*) increase its share capital by the issue of new shares of such amount as it thinks expedient ;

(*b*) consolidate and divide all or any of its share capital into shares of larger amount than its existing shares ;

(*c*) convert all or any of its paid-up shares into stock and re-convert that stock into paid-up shares of any denomination ;

(*d*) sub-divide its shares, or any of them, into shares of smaller amount than is fixed by the memorandum, so however, that in the sub-division the proportion between the amount paid and the amount, if any, unpaid on each reduced share shall be the same as it was in the case of the share from which the reduced share is derived ;

(*e*) cancel shares which, at the date of the passing of the resolution in that behalf, have not been taken or agreed to be taken by any person, and diminish the amount of its share capital by the amount of the shares so cancelled.

(*2*) The powers conferred by this section with respect to sub-division of shares must be exercised by special resolution.

(*3*) Where any alteration has been made under this section in the memorandum of a company, every copy of the memorandum issued after the date of the alteration shall be in accordance with the alteration.

(*4*) If a company makes default in complying with the requirements of sub-section (*3*), it shall be liable to a fine not exceeding ten rupees for each copy in respect of which default is made; and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

(*5*) A cancellation of shares in pursuance of this section shall not be deemed to be a reduction of share capital within the meaning of this Act.

Notice to registrar of consolidation of share capital, conversion of shares into stock, etc.

51. (*1*) Where a company having a share capital has consolidated and divided its share capital into shares of larger amount than its existing shares or converted any of its shares into stock, or re-converted stock into shares, it shall within fifteen days of the consolidation and division, conversion or re-conversion, file notice with the registrar of the same, specifying the share consolidated and divided, or converted, or the stock re-converted.

(*2*) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues, and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

Effect of conversion of shares into stock.

52. Where a company having a share capital has converted any of its shares into stock, and filed notice of the conversion with the registrar, all the provisions of this Act which are applicable to shares only shall cease as to so much of the share capital as is converted into stock; and the register of members of the company, and the list of members to be filed with the registrar, shall show the amount of stock held by each member instead of the amount of shares and the particulars relating to shares hereinbefore required by this Act.

Notice of increase of share capital or of members.

53. (*1*) Where a company having a share capital, whether its shares have or have not been converted into stock, has increased its share capital beyond the registered capital, and where a company not having a share capital has increased the number of its members beyond the registered number, it shall file with the registrar, in the case of an increase of share capital, within fifteen days after the passing, or in the case of a special resolution the confirmation, of the resolution authorising the increase, and in the case of an increase of members within fifteen days after the increase was resolved on or took place, notice of the increase of capital or members, and the registrar shall record the increase.

(*2*) If a company makes a default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues, and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

Reorganization of share capital.

54. (*1*) A company limited by shares may, by special resolution confirmed by an order of the Court, modify the conditions contained in its memorandum so as to reorganize its share capital, whether by the consolidation of shares of

The Indian Companies Act, 1913.

(Part III.—Share Capital, Registration of Unlimited Company as Limited and Unlimited Liability of Directors.—Sections 55-61.)

different classes or by the division of its shares into shares of different classes:

Provided that no preference or special privilege attached to or belonging to any class of shares shall be interfered with except by resolution passed by a majority in number of shareholders of that class holding three-fourths of the share capital of that class and confirmed at a meeting of shareholders of that class in the same manner as a special resolution of the company is required to be confirmed, and every resolution so passed shall bind all shareholders of the class.

(2) Where an order is made under this section, a certified copy thereof shall be filed with the registrar within twenty-one days after the making of the order, or within such further time as the Court may allow, and the resolution shall not take effect until such a copy has been so filed.

Reduction of Share Capital.

55. (1) No company limited by shares shall have power to buy its own shares unless the consequent reduction of capital is effected nd sanctioned in manner hereinafter provided.

Reduction of share capital.

(2) Subject to confirmation by the Court, a company limited by shares, if so authorised by its articles, may by special resolution reduce its share capital in any way, and in particular (without prejudice to the generality of the foregoing power) may—

(a) extinguish or reduce the liability on any of its shares in respect of share capital not paid up; or

(b) either with or without extinguishing or reducing liability on any of its shares, cancel any paid-up share capital which is lost or unrepresented by available assets; o

(c) either with or without extinguishing or reducing liability on any of its shares, pay off any paid-up share capital which is in excess of the wants of the company,

and may, if and so far as is necessary, alter its memorandum by reducing the amount of its share capital and of its shares accordingly.

(3) A special resolution under this section is in this Act called a resolution for reducing share capital.

56. Where a company has passed and confirmed a resolution for reducing share capital, it may apply by petition to the Court for an order confirming the reduction.

Application to Court for confirming order.

57. On and from the confirmation by a company of a resolution for reducing share capital, or where the reduction does not involve either the diminution of any liability in respect of unpaid share capital or the payment to any shareholder of any paid-up share capital, then on and from the presentation of the petition for confirming the reduction, the company shall add to its name, until such date as the Court may fix, the words "and reduced" as the last words in its name, and those words shall, until that date, be deemed to be part of the name of the company:

Addition to name of company of "and reduced."

Provided that, where the reduction does not involve either the diminution of any liability in respect of unpaid share capital or the payment to any shareholder of any paid-up share capital, the Court may, if it thinks expedient, dispense altogether with the addition of the words "and reduced."

58. (1) Where the proposed reduction of share capital involves either diminution of liability in respect of unpaid share capital, or the payment to any shareholder of any paid-up share capital, and in any other case if the Court so directs, every creditor of the company who at the date fixed by the Court is entitled to any debt or claim which, if that date were the commencement of the winding up of the company, would be admissible in proof against the company, shall be entitled to object to the reduction.

Objections by creditors, and settlement of list of objecting creditors.

(2) The Court shall settle a list of creditors so entitled to object, and for that purpose shall ascertain, as far as possible without requiring an application from any creditor, the names of those creditors and the nature and amount of their debts or claims, and may publish notices fixing a day or days within which creditors not entered on the list are to claim to be so entered or are to be excluded from the right of objecting to the reduction.

59. Where a creditor entered on the list of creditors whose debt or claim is not discharged or determined does not consent to the reduction, the Court may, if it thinks fit, dispense with the consent of that creditor, on the company securing payment of his debt or claim by appropriating, as the Court may direct, the following amount (that is to say),—

Power to dispense with consent of creditor on security being given for his debt.

(i) if the company admits the full amount of his debt or claim, or, though not admitting it, is willing to provide for it, then the full amount of the debt or claim;

(ii) if the company does not admit or is not willing to provide for the full amount of the debt or claim, or if the amount is contingent or not ascertained, then an amount fixed by the Court after the like inquiry and adjudication as if the company were being wound up by the Court.

60. The Court, if satisfied, with respect to every creditor of the company who under this Act is entitled to object to the reduction, that either his consent to the reduction has been obtained or his debt or claim has been discharged or has determined or has been secured, may make an order confirming the reduction on such terms and conditions as it thinks fit.

Order confirming reduction.

61. (1) The registrar on production to him of an order of the Court confirming the reduction of the share capital of a company, and on the filing with him of a certified copy of the order and of a minute (approved by the Court) showing, with respect to the share capital of the company as altered by the order, the amount of the share capital, the number of shares into which it is to

Registration of order and minute of reduction.

The Indian Companies Act, 1913.

(Part III.—Share Capital, Registration of Unlimited Company as Limited and Unlimited Liability of Directors.—Sections 62-68.)

be divided and the amount of each share, and the amount (if any) at the date of the registration deemed to be paid up on each share, shall register the order and minute.

(2) On the registration, and not before, the resolution for reducing share capital as confirmed by the order so registered shall take effect.

(3) Notice of the registration shall be published in such manner as the Court may direct.

(4) The registrar shall certify under his hand the registration of the order and minute, and his certificate shall be conclusive evidence that all the requirements of this Act with respect to reduction of share capital have been complied with, and that the share capital of the company is such as is stated in the minute.

Minute to form part of memorandum.

62. (1) The minute when registered shall be deemed to be substituted for the corresponding part of the memorandum of the company, and shall be valid and alterable as if it had been originally contained therein, and shall be embodied in every copy of the memorandum issued after its registration.

(2) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding ten rupees for each copy in respect of which default is made, and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

Liability of members in respect of reduced shares.

63. (1) A member of the company, past or present, shall not be liable in respect of any share to any call or contribution exceeding in amount the difference (if any) between the amount paid, or (as the case may be) the reduced amount, if any, which is to be deemed to have been paid, on the share and the amount of the share as fixed by the minute:

Provided that, if any creditor, entitled in respect of any debt or claim to object to the reduction of share capital, is, by reason of his ignorance of the proceedings for reduction, or of their nature and effect with respect to his claim not entered on the list of creditors, and, after the reduction, the company is unable, within the meaning of the provisions of this Act with respect to winding up by the Court, to pay the amount of his debt or claim, then—

(i) every person who was a member of the company at the date of the registration of the order for reduction and minute, shall be liable to contribute for the payment of that debt, or claim an amount not exceeding the amount which he would have been liable to contribute if the company had commenced to be wound up on the day before that registration; and

(ii) if the company is wound up the Court, on the application of any such creditor and proof of his ignorance as aforesaid, may, if it thinks fit, settle accordingly a list of persons so liable to contribute, and make and enforce calls and orders on the contributories settled on the list as if they were ordinary contributories in a winding up.

(2) Nothing in this section shall affect the rights of the contributories among themselves.

Penalty on concealment of name of creditor.

64. If any officer of the company wilfully conceals the name of any creditor entitled to object to the reduction, or wilfully misrepresents the nature or amount of the debt or claim of any creditor, or if any officer of the company abets any such concealment or misrepresentation as aforesaid, every such officer shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

Publication of reasons for reduction.

65. In any case of reduction of share capital, the Court may require the company to publish as the Court directs the reasons for reduction, or such other information in regard thereto as the Court may think expedient with a view to give proper information to the public, and, if the Court thinks fit, the causes which led to the reduction.

Increase and reduction of share capital in case of a company limited by guarantee having a share capital.

66. A company limited by guarantee and registered after the commencement of this Act may, if it has a share capital and is so authorised by its articles, increase or reduce its share capital in the same manner and subject to the same conditions in and subject to which a company limited by shares may increase or reduce its share capital under the provisions of this Act.

Registration of Unlimited Company as Limited.

Registration of unlimited company as limited.

67. (1) Subject to the provisions of this section, any company registered as unlimited may register under this Act as limited, or any company already registered as a limited company may re-register under this Act, but the registration of an unlimited company as a limited company shall not affect any debts, liabilities, obligations or contracts incurred or entered into by, to, with or on behalf of, the company before the registration, and those debts, liabilities, obligations and contracts may be enforced in manner provided by Part VIII of this Act in the case of a company registered in pursuance of that Part.

(2) On registration in pursuance of this section, the registrar shall close the former registration of the company, and may dispense with the delivery to him of copies of any documents with copies of which he was furnished on the occasion of the original registration of the company; but, save as aforesaid, the registration shall take place in the same manner and shall have effect as if it were the first registration of the company under this Act.

Power of limited company to provide for reserve share capital on registration.

68. An unlimited company having a share capital may, by its resolution for registration as a limited company in pursuance of this Act, do either or both of the following things, namely:—

(a) increase the nominal amount of its share capital by increasing the nominal amount of each of its shares, but subject to the condition that no part of the amount by which its capital is so increased shall be capable of being called

The Indian Companies Act, 1913.

(Parts III and IV.—Share Capital, Registration of Unlimited Company as Limited and Unlimited Liability of Directors—Management and Administration.—Sections 69-74.)

up except in the event and for the purposes of the company being wound up;

(*b*) provide that a specified portion of its uncalled share capital shall not be capable of being called up except in the event and for the purposes of the company being wound up.

Reserve Liability of Limited Company.

Reserve liability of limited company.

69. A limited company may by special resolution determine that any portion of its share capital which has not been already called up shall not be capable of being called up, except in the event and for the purposes of the company being wound up, and thereupon that portion of its share capital shall not be capable of being called up except in the event and for the purposes aforesaid.

Unlimited Liability of Directors.

Limited company may have directors with unlimited liability.

70. (*1*) In a limited company the liability of the directors or of any director, may, if so provided by the memorandum, be unlimited.

(*2*) In a limited company in which the liability of any director is unlimited, the directors of the company (if any) and the member who proposes a person for election or appointment to the office of director shall add to that proposal a statement that the liability of the person holding that office will be unlimited, and the promoters and officers of the company, or one of them, shall, before the person accepts the office or acts therein, give him notice in writing that his liability will be unlimited.

(*3*) If any director or proposer makes default in adding such a statement, or if any promoter or officer of the company makes default in giving such a notice, he shall be liable to a fine not exceeding one thousand rupees. and shall also be liable for any damage which the person so elected or appointed may sustain from the default, but the liability of the person elected or appointed shall not be affected by the default.

Special resolution of limited company making liability of directors unlimited.

71. (*1*) A limited company, if so authorised by its articles, may, by special resolution, alter its memorandum so as to render unlimited the liability of its directors or of any director.

(*2*) Upon the confirmation of any such special resolution, the provisions thereof shall be as valid as if they had been originally contained in the memorandum, and a copy thereof shall be embodied in or annexed to every copy of the memorandum issued after the confirmation of the resolution.

(*3*) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding ten rupees for each copy in respect of which default is made; and every officer of the company, who knowingly and wilfully authorises or permits the default, shall be liable to the like penalty.

PART IV.

MANAGEMENT AND ADMINISTRATION.

Office and Name.

Registered office of company.

72. (*1*) Every company shall have a registered office to which all communications and notices may be addressed.

(*2*) Notice in writing of the situation of the registered office, and of any change therein, shall be filed with the registrar who shall record the same.

(*3*) If a company carries on business without complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which it so carries on business.

Publication of name by a limited company.

73. Every limited company—

(*a*) shall paint or affix, and keep painted or affixed, its name on the outside of every office or place in which its business is carried on, in a conspicuous position, in letters easily legible and in English characters, and also, if the registered office be situate in a place beyond the local limits of the ordinary original civil jurisdiction of a High Court, in the characters of one of the vernacular languages used in that place;

(*b*) shall have its name engraven in legible characters on its seal;

(*c*) shall have its name mentioned in legible English characters in all bill-heads and letter paper and in all notices, advertisements and other official publications of the company, and in all bills of exchange, hundis, promissory notes, endorsements, cheques and orders for money or goods purporting to be signed by or on behalf of the company, and in all bills of parcels, invoices, receipts and letters of credit of the company.

Penalties for non-publication of name.

74. (*1*) If a limited company does not paint or affix, and keep painted or affixed, its name in manner directed by this Act, it shall be liable to a fine not exceeding fifty rupees for not so painting or affixing its name, and for every day during which its name is not so kept painted or affixed, and every officer of the company, who knowingly and wilfully authorises or permits the default, shall be liable to the like penalty.

(*2*) If any officer of a limited company, or any person on its behalf, uses or authorises the use of any seal purporting to be a seal of the company whereon its name is not so engraven as aforesaid, or issues or authorises the issue of any bill-head, letter paper, notice, advertisement or other official publication of the company, or signs or authorises to be signed on behalf of the company any bill of exchange, hundi, promissory note, endorsement, cheque or order for money or goods, or issues or authorises to be issued any bill of parcels, invoice, receipt or letter of credit of the company, wherein its name is not mentioned in manner aforesaid, he shall be liable to a fine not exceeding five hundred rupees, and shall

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Sections 75-77.)

further be personally liable to the holder of any such bill of exchange, hundi, promissory note, cheque or order for money or goods, for the amount thereof, unless the same is duly paid by the company.

Publication of authorised as well as subscribed and paid-up capital.

75. (*1*) Where any notice, advertisement or other official publication of a company contains a statement of the amount of the authorised capital of the company, such notice, advertisement or other official publication shall also contain a statement in an equally prominent position and in equally conspicuous characters of the amount of the capital which has been subscribed and the amount paid up.

(*2*) Any company which makes default in complying with the requirements of this section and every officer of the company who is knowingly a party to the default shall be liable to a fine not exceeding one thousand rupees.

Meetings and Proceedings.

Annual general meeting.

76. (*1*) A general meeting of every company shall be held once at the least in every year, and not more than fifteen months after the holding of the last preceding general meeting, and, if not so held, the company and every officer of the company, who is knowingly a party to the default, shall be liable to a fine not exceeding five hundred rupees.

(*2*) When default has been made in holding a meeting of the company in accordance with the provisions of this section, the Court may, on the application of any member of the company, call or direct the calling of a general meeting of the company.

Statutory meeting of company.

77. (*1*) Every company limited by shares and registered after the commencement of this Act shall, within a period of six months from the date at which the company is entitled to commence business, hold a general meeting of the members of the company which shall be called the statutory meeting.

(*2*) The directors shall, at least ten days before the day on which the meeting is held, forward a report (in this Act called "the statutory report") to every member of the company and to every other person entitled under this Act to receive it.

(*3*) The statutory report shall be certified by not less than two directors of the company or, where there are less than two directors, by the sole director and shall state—

(*a*) the total number of shares allotted, distinguishing shares allotted as fully or partly paid up otherwise than in cash, and stating in the case of shares partly paid up the extent to which they are so paid up, and in either case the consideration for which they have been allotted;

(*b*) the total amount of cash received by the company in respect of all the shares allotted distinguished as aforesaid;

(*c*) an abstract of the receipts of the company whether from its share capital or from debentures, and of the payments made thereout, up to a date within seven days of the date of the report, exhibiting under distinctive headings the receipts of the company from shares and debentures and other sources, the payments made thereout and particulars concerning the balance remaining in hand and an account or estimate of the preliminary expenses of the company;

(*d*) the names, addresses and descriptions of the directors, auditors (if any), managers (if any) and secretary of the company;

(*e*) the particulars of any contract, the modification of which is to be submitted to the meeting for its approval, together with the particulars of the modification or proposed modification.

(*4*) The statutory report shall, so far as it relates to the shares allotted by the company and to the cash received in respect of such shares and to the receipts and payments of the company on capital account, be certified as correct by the auditors (if any) of the company.

(*5*) The directors shall cause a copy of the statutory report, certified as by this section required, to be filed with the registrar forthwith after the sending thereof to the members of the company.

(*6*) Every director of the company who knowingly and wilfully authorises or permits a default in complying with the provisions of sub-section (*2*) or sub-section (*5*) shall be liable to a fine not exceeding twenty rupees for every day during which the default continues.

(*7*) The directors shall cause a list showing the names, descriptions and addresses of the members of the company, and the number of shares held by them respectively, to be produced at the commencement of the meeting, and to remain open and accessible to any member of the company during the continuance of the meeting.

(*8*) The members of the company present at the meeting shall be at liberty to discuss any matters relating to the formation of the company, or arising out of the statutory report, whether previous notice has been given or not, but no resolution of which notice has not been given in accordance with the articles may be passed.

(*9*) The meeting may adjourn from time to time, and at any adjourned meeting any resolution of which notice has been given in accordance with the articles, either before or subsequently to the former meeting, may be passed, and the adjourned meeting shall have the same powers as an original meeting.

(*10*) If a petition is presented to the Court in manner provided by Part V for winding up the company on the ground of default in filing the statutory report or in holding the statutory meeting, the Court may, instead of directing that the company be wound up, give directions for the statutory report to be filed or a meeting

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Sections 78-82.)

to be held, or make such other order as may be just.

(11) The provisions of this section as to the forwarding and filing of the statutory report shall not apply in the case of a private company.

Calling of extraordinary general meeting on requisition.

78. (1) Notwithstanding anything in the articles, the directors of a company which has a share capital shall, on the requisition of the holders of not less than one-tenth of the issued share capital of the company upon which all calls or other sums then due have been paid, forthwith proceed to call an extraordinary general meeting of the company.

(2) The requisition must state the objects of the meeting, and must be signed by the requisitionists and deposited at the registered office of the company, and may consist of several documents in like form, each signed by one or more requisitionists.

(3) If the directors do not proceed within twenty-one days from the date of the requisition being so deposited to cause a meeting to be called, the requisitionists, or a majority of them in value, may themselves call the meeting, but in either case any meeting so called shall be held within three months from the date of the deposit of the requisition.

(4) If at any such meeting a resolution requiring confirmation at another meeting is passed, the directors shall forthwith call a further extraordinary general meeting for the purpose of considering the resolution and, if thought fit, of confirming it as a special resolution and, if the directors do not call the meeting within seven days from the date of the passing of the first resolution, the requisitionists, or a majority of them in value, may themselves call the meeting.

(5) Any meeting called under this section by the requisitionists shall be called in the same manner, as nearly as possible, as that in which meetings are to be called by directors.

Provisions as to meetings and votes.

79. In default of, and subject to, any regulations in the articles,—

(i) a meeting of a company may be called by fourteen days' notice in writing, served on every member in manner in which notices are required to be served by Table A in the First Schedule;

(ii) five members may call a meeting;

(iii) any person elected by the members present at a meeting may be chairman thereof; and

(iv) every member shall have one vote.

Representation of companies at meetings of other companies of which they are members.

80. A company which is a member of another company may, by resolution of the directors, authorise any of its officials or any other person to act as its representative at any meeting of that other company, and the person so authorised shall be entitled to exercise the same powers on behalf of the company which he represents as if he were an individual shareholder of that other company.

Extraordinary and special resolution.

81. (1) A resolution shall be an extraordinary resolution when it has been passed by a majority of not less than three-fourths of such members entitled to vote as are present in person or by proxy (where proxies are allowed) at a general meeting of which notice specifying the intention to propose the resolution as an extraordinary resolution has been duly given.

(2) A resolution shall be a special resolution when it has been—

(a) passed in manner required for the passing of an extraordinary resolution; and

(b) confirmed by a majority of such members entitled to vote as are present in person or by proxy (where proxies are allowed) at a subsequent general meeting, of which notice has been duly given, and held after an interval of not less than fourteen days, nor more than one month, from the date of the first meeting.

(3) At any meeting at which an extraordinary resolution is submitted to be passed or a special resolution is submitted to be passed or confirmed, a declaration of the chairman on a show of hands that the resolution is carried shall, unless a poll is demanded, be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.

(4) At any meeting at which an extraordinary resolution is submitted to be passed or a special resolution is submitted to be passed or confirmed, a poll may be demanded by three persons for the time being entitled according to the articles to vote, unless the articles of the company require a demand by such number of such persons, not in any case exceeding five, as may be specified in the articles.

(5) In a case where, if a poll is demanded, it may in accordance with the articles be taken in such manner as the chairman may direct; it may, if the chairman so directs, be taken at the meeting at which it is demanded.

(6) When a poll is demanded in accordance with this section, in computing the majority on the poll, reference shall be had to the number of votes to which each member is entitled by the articles of the company.

(7) For the purposes of this section notice of a meeting shall be deemed to be duly given and the meeting to be duly held when the notice is given and the meeting held in manner provided by the articles.

Registration and copies of special and extraordinary resolutions.

82. (1) A copy of every special and extraordinary resolution shall, within fifteen days from the confirmation of the special resolution or from the passing of the extraordinary resolution, as the case may be, be printed or typewritten and filed with the registrar who shall record the same.

The Indian Companies Act, 1913.

(*Part IV.—Management and Administration.—Sections 83-87.*)

(*2*) Where articles have been registered, a copy of every special resolution for the time being in force shall be embodied in or annexed to every copy of the articles issued after the date of the resolution.

(*3*) Where articles have not been registered, a copy of every special resolution shall be forwarded in print to any member at his request, on payment of one rupee or such less sum as the company may direct.

(*4*) If a company makes default in so filing with the registrar a copy of a special or extraordinary resolution, it shall be liable to a fine not exceeding twenty rupees for every day during which the default continues.

(*5*) If a company makes default in embodying in or annexing to a copy of its articles or in forwarding in print to a member when required by this section a copy of a special resolution, it shall be liable to a fine not exceeding ten rupees for each copy in respect of which default is made.

(*6*) Every officer of a company who knowingly and wilfully authorises or permits any default by the company in complying with the requirements of this section shall be liable to the like penalty as is imposed by this section on the company for that default.

Minutes of proceedings of meetings and directors.

83. (*1*) Every company shall cause minutes of all proceedings of general meetings and of its directors to be entered in books kept for that purpose.

(*2*) Any such minute, if purporting to be signed by the chairman of the meeting at which the proceedings were had, or by the chairman of the next succeeding meeting, shall be evidence of the proceedings.

(*3*) Until the contrary is proved, every general meeting of the company or meeting of directors in respect of the proceedings whereof minutes have been so made shall be deemed to have been duly called and held, and all proceedings had thereat to have been duly had, and all appointments of directors or liquidators shall be deemed to be valid.

Restrictions on appointment or advertisement of director.

84. (*1*) A person shall not be capable of being appointed director of a company by the articles, and shall not be named as a director or proposed director of a company in any prospectus issued by or on behalf of the company or in relation to any intended company or in any statement in lieu of prospectus filed by or on behalf of a company, unless, before the registration of the articles or the publication of the prospectus, or the filing of the statement in lieu of prospectus, as the case may be, he has, by himself or by his agent authorised in writing—

(*i*) signed and filed with the registrar a consent in writing to act as such director; and

(*ii*) save in the case of a company limited by guarantee and not having a share capital, either signed the memorandum for a number of shares not less than his qualification (if any), or signed and filed with the registrar a contract in writing to take from the company and pay for his qualification shares (if any).

(*2*) On the application for registration of the memorandum and articles of a company the applicant shall file with the registrar a list of the persons who have consented to be directors of the company, and, if this list contains the name of any person who has not so consented, the applicant shall be liable to a fine not exceeding five hundred rupees.

(*3*) This section shall not apply to a private company nor to a prospectus issued by or on behalf of a company after the expiration of one year from the date at which the company is entitled to commence business.

Qualification of director.

85. (*1*) Without prejudice to the restrictions imposed by section 84, it shall be the duty of every director who is by the articles required to hold a specified share qualification, and who is not already qualified, to obtain his qualification within two months after his appointment, or such shorter time as may be fixed by the articles.

(*2*) The office of director of a company shall be vacated if the director does not, within two months from the date of his appointment, or within such shorter time as may be fixed by the articles, obtain his qualification, or if after the expiration of such period or shorter time he ceases at any time to hold his qualification; and a person vacating office under this section shall be incapable of being re-appointed director of the company until he has obtained his qualification.

(*3*) If, after the expiration of the said period or shorter time, any unqualified person acts as a director of the company, he shall be liable to a fine not exceeding fifty rupees for every day between the expiration of the said period or shorter time and the last day on which it is proved that he acted as a director.

Validity of acts of directors.

86. The acts of a director shall be valid notwithstanding any defect that may afterwards be discovered in his appointment or qualification: Provided that nothing in this section shall be deemed to give validity to acts done by a director after the appointment of such director has been shown to be invalid.

List of directors to be sent to registrar.

87. (*1*) Every company shall keep at its registered office a register containing the names and addresses and the occupations of its directors, and file with the registrar a copy thereof, and from time to time file with the registrar notice of any change among its directors or managers.

(*2*) If default is made in complying with this section, the company shall be liable to a fine not exceeding fifty rupees for every day during which the default continues; and every officer of the company, who knowingly and wilfully authorises or permits the default, shall be liable to the like penalty.

The Indian Companies Act, 1913.

(*Part IV.—Management and Administration.—Sections 88-93.*)

Contracts.

88. (*1*) Contracts on behalf of a company may be made as follows (that is to say) :—

Form of contracts.

(*i*) any contract which, if made between private persons, would be by law required to be in writing, signed by the parties to be charged therewith, may be made on behalf of the company in writing signed by any person acting under its authority, express or implied, and may in the same manner be varied or discharged ;

(*ii*) any contract which, if made between private persons, would by law be valid although made by parol only, and not reduced into writing, may be made by parol on behalf of the company by any person acting under its authority, express or implied, and may in the same manner be varied or discharged.

(*2*) All contracts made according to this section shall be effectual in law, and shall bind the company and its successors and all other parties thereto, their heirs, or legal representatives as the case may be.

89. A bill of exchange, hundi or promissory note shall be deemed to have been made, drawn, accepted or endorsed on behalf of a company if made, drawn, accepted or endorsed in the name of, or by or on behalf or on account of, the company by any person acting under its authority, express or implied.

Bills of exchange and promissory notes.

90. A company may, by writing under its common seal, empower any person, either generally or in respect of any specified matters, as its attorney, to execute deeds on its behalf in any place not situate in British India; and every deed signed by such attorney, on behalf of the company, and under his seal, where sealing is required, shall bind the company, and have the same effect as if it were under its common seal.

Execution of deeds abroad.

91. (*1*) A company whose objects require or comprise the transaction of business beyond the limits of British India may, if authorised by its articles, have for use in any territory, district or place not situate in British India, an official seal, which shall be a facsimile of the common seal of the company, with the addition on its face of the name of every territory, district or place where it is to be used.

Power for company to have official seal for use abroad.

(*2*) A company having such an official seal may, by writing under its common seal, authorise any person appointed for the purpose in any territory, district or place not situate in British India to affix the same to any deed or other document to which the company is party in that territory, district or place.

(*3*) The authority of any such agent shall, as between the company and any person dealing with the agent, continue during the period (if any) mentioned in the instrument conferring the authority, or if no period is there mentioned then until notice of the revocation or determination of the agent's authority has been given to the person dealing with him.

(*4*) The person affixing any such official seal shall, by writing under his hand, on the deed or other document to which the seal is affixed, certify the date and place of affixing the same.

(*5*) A deed or other document to which an official seal is duly affixed shall bind the company as if it had been sealed with the common seal of the company.

Prospectus.

92. (*1*) Every prospectus issued by or on behalf of a company or in relation to any intended company shall be dated, and that date shall, unless the contrary be proved, be taken as the date of publication of the prospectus.

Filing of prospectus.

(*2*) A copy of every such prospectus, signed by every person who is named therein as a director or proposed director of the company, or by his agent authorised in writing, shall be filed for registration with the registrar on or before the date of its publication, and no such prospectus shall be issued until a copy thereof has been so filed for registration.

(*3*) The registrar shall not register any prospectus unless it is dated, and the copy thereof signed, in manner required by this section.

(*4*) Every prospectus shall state on the face of it that a copy has been filed for registration as required by this section.

(*5*) If a prospectus is issued without a copy thereof being so filed, the company, and every person who is knowingly a party to the issue of the prospectus, shall be liable to a fine not exceeding fifty rupees for every day from the date of the issue of the prospectus until a copy thereof is so filed.

93. (*1*) Every prospectus issued by or on behalf of a company, or by or on behalf of any person who is or has been engaged or interested in the formation of the company, shall state—

Specific requirements as to particulars of prospectus.

(*a*) the contents of the memorandum, with the names, descriptions and addresses of the signatories and the number of shares subscribed for by them respectively ; and the number of founders or management or deferred shares (if any) and the nature and extent of the interest of the holders in the property and profits of the company ; and

(*b*) the number of shares (if any) fixed by the articles as the qualification of a director, and any provision in the articles as to the remuneration of the directors ; and

(*c*) the names, descriptions and addresses of the directors or proposed directors and of the managers or proposed managers (if any) ; and

The Indian Companies Act 1913.

(Part IV.—Management and Administration.—Section 94.)

(*d*) the minimum subscription on which the directors may proceed to allotment, and the amount payable on application and allotment on each share; and in the case of a second or subsequent offer of shares the amount offered for subscription on each previous allotment made within the two preceding years, and the amount actually allotted, and the amount (if any) paid on the shares so allotted; and

(*e*) the number and amount of shares and debentures which within the two preceding years have been issued, or agreed to be issued, as fully or partly paid up otherwise than in cash, and in the latter case the extent to which they are so paid up, and in either case the consideration for which those shares or debentures have been issued or agreed to be issued; and

(*f*) the names and addresses of the vendors of any property purchased or acquired by the company, or proposed so to be purchased or acquired, which is to be paid for wholly or partly out of the proceeds of the issue offered for subscription by the prospectus, or the purchase or acquisition of which has not been completed at the date of issue of the prospectus, and the amount payable in cash, shares or debentures to the vendor, and where there is more than one separate vendor or the company is a sub-purchaser, the amount so payable to each vendor: Provided that where the vendors or any of them are a firm, the members of the firm shall not be treated as separate vendors; and

(*g*) the amount (if any) paid or payable as purchase-money in cash, shares or debentures, for any such property as aforesaid, specifying the amount (if any) payable for goodwill; and

(*h*) the amount (if any) paid within the two preceding years or payable, as commission for subscribing or agreeing to subscribe, or procuring or agreeing to procure subscriptions, for any shares in, or debentures of, the company, or the rate of any such commission: Provided that it shall not be necessary to state the commission payable to sub-underwriters; and

(*i*) the amount or estimated amount of preliminary expenses; and

(*k*) the amount paid within the two preceding years or intended to be paid to any promoter, and the consideration for any such payment; and

(*l*) the dates of, and parties to, every material contract, and a reasonable time and place at which any material contract or a copy thereof may be inspected: Provided that this requirement shall not apply to a contract entered into in the ordinary course of the business carried on or intended to be carried on by the company, or to any contract entered into more than two years before the date of issue of the prospectus; and

(*m*) the names and addresses of the auditors (if any) of the company; and

(*n*) full particulars of the nature and extent of the interest (if any) of every director in the promotion of, or in the property proposed to be acquired by, the company, or, where the interest of such a director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares or otherwise by any person either to induce him to become, or to qualify him as, a director, or otherwise for services rendered by him or by the firm in connection with the promotion or formation of the company; and

(*o*) where the company is a company having shares of more than one class, the right of voting at meetings of the company conferred by the several classes of shares respectively.

(*2*) Where any such prospectus as is mentioned in this section is published as a newspaper advertisement, it shall not be necessary in the advertisement to specify the contents of the memorandum, or the signatories thereto, and the number of shares subscribed for by them.

(*3*) This section shall not apply to a circular or notice inviting existing members or debenture holders of a company to subscribe either for shares or for debentures of the company, whether with or without the right to renounce in favour of other persons.

(*4*) The requirements of this section as to the memorandum and the qualification, remuneration and interest of directors, the names, descriptions and addresses of directors or proposed directors, and of managers or proposed managers, and the amount or estimated amount of preliminary expenses, shall not apply in the case of a prospectus issued more than one year after the date at which the company is entitled to commence business.

(*5*) Nothing in this section shall limit or diminish any liability which any person may incur under the general law or this Act apart from this section.

Meaning of "vendor" in section 93.

94. For the purposes of section 93 every person shall be deemed to be a vendor who has entered into any contract, absolute or conditional, for the sale or purchase, or for any option of purchase, of any property to be acquired by the company, in any case where—

(*a*) the purchase-money is not fully paid at the date of issue of the prospectus; or

(*b*) the purchase-money is to be paid or satisfied wholly or in part out of the proceeds of the issue offered for subscription by the prospectus; or

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Sections 95-100.)

(*c*) the contract depends for its validity or fulfilment on the result of that issue.

Application of section 93 to the case of property taken on lease.

95. Where any of the property to be acquired by the company is to be taken on lease, section 93 shall apply as if the expression "vendor" included the lessor, and the expression "purchase-money" included the consideration for the lease, and the expression "sub-purchaser" included a sub-lessee.

Invalidity of certain conditions as to waiver of notice.

96. Any condition requiring or binding any applicant for shares or debentures to waive compliance with any requirements of section 93, or purporting to affect him with notice of any contract, document or matter not specifically referred to in the prospectus, shall be void.

Saving in certain cases of non-compliance with section 93.

97. In the event of non-compliance with any of the requirements of section 93, a director or other person responsible for the prospectus shall not incur any liability by reason of the non-compliance, if he proves that—

(*a*) as regards any matter not disclosed, he was not cognisant thereof; or

(*b*) the non-compliance arose from an honest mistake of fact on his part:

Provided that, in the event of non-compliance with the requirements contained in clause (*n*) of sub-section (*1*) of section 93, no such director or other person shall incur any liability in respect of the non-compliance unless it be proved that he had knowledge of the matters not disclosed.

Obligations of companies where no prospectus is issued.

98. (*1*) A company which does not issue a prospectus on or with reference to its formation shall not allot any of its shares or debentures unless before the first allotment of either shares or debentures there has been filed with the registrar a statement in lieu of prospectus signed by every person who is named therein as a director or a proposed director of the company or by his agent authorised in writing, in the form and containing the particulars set out in the Second Schedule.

(*2*) This section shall not apply to a private company or to a company which has allotted any shares or debentures before the commencement of this Act or, in so far as it relates to the allotment of shares to a company limited by guarantee and not having a share capital.

Restriction on alteration of terms mentioned in prospectus or statement in lieu of prospectus.

99. A company shall not, at any time, vary the terms of a contract referred to in the prospectus or statement in lieu of prospectus, except subject to the approval of the company in general meeting.

Liability for statements in prospectus.

100. (*1*) Where a prospectus invites persons to subscribe for shares in or debentures of a company every person who is a director of the company at the time of the issue of the prospectus, and every person who has authorised the naming of himself and is named in the prospectus as a director or as having agreed to become a director either immediately or after an interval of time, and every promoter of the company, and every person who has authorised the issue of the prospectus, shall be liable to pay compensation to all persons who subscribe for any shares or debentures on the faith of the prospectus for all loss or damage they may have sustained by reason of any misleading or untrue statement therein, or in any report or memorandum appearing on the face thereof, or by reference incorporated therein or issued therewith, unless it is proved—

(*a*) with respect to every misleading or untrue statement not purporting to be made on the authority of an expert or of a public official document or statement, that he had reasonable ground to believe and did up to the time of the allotment of the shares or debentures, as the case may be, believe that the statement fairly represented the facts or was true;

(*b*) with respect to every misleading or untrue statement purporting to be a statement by or contained in what purports to be a copy of or extract from a report or valuation of an expert, that it fairly represented the statement, or was a correct and fair copy of or extract from the report or valuation: Provided that the director, person named as director, promoter or person who authorised the issue of the prospectus shall be liable to pay compensation as aforesaid if it is proved that he had no reasonable ground to believe that the person making the statement, report or valuation was competent to make it; and

(*c*) with respect to every misleading or untrue statement purporting to be a statement made by an official person or contained in what purports to be a copy of or extract from a public official document, that it was a correct and fair representation of the statement or copy of or extract from the document:

or unless it is proved—

(*i*) that having consented to become a director of the company he withdrew his consent before the issue of the prospectus, and that it was issued without his authority or consent; or

(*ii*) that the prospectus was issued without his knowledge or consent, and that on becoming aware of its issue, he forthwith gave a reasonable public notice that it was issued without his knowledge or consent; or

(*iii*) that, after the issue of the prospectus and before allotment thereunder, he, on becoming aware of any misleading or untrue statement therein, withdrew his consent thereto, and gave reasonable public notice of the withdrawal, and of the reason therefor.

(*2*) Where a company existing at the commencement of this Act has issued shares or debentures, and for the purpose of obtaining further capital by subscriptions for shares or debentures issues a prospectus, a director shall not be liable in respect of any statement therein, unless he has authorised the issue of the prospectus, or has adopted or ratified it.

The Indian Companies Act, 1913.

(*Part IV.—Management and Administration.—Sections 100-103.*)

(*3*) Where the prospectus contains the name of a person as a director of the company, or as having agreed to become a director thereof, and he has not consented to become a director, or has withdrawn his consent before the issue of the prospectus, and has not authorised or consented to the issue thereof, the directors of the company, except any without whose knowledge or consent the prospectus was issued, and any other person who authorised the issue thereof, shall be liable to indemnify the person named as aforesaid against all damages, costs and expenses to which he may be made liable by reason of his name having been inserted in the prospectus, or in defending himself against any suit or legal proceedings brought against him in respect thereof.

(*4*) Every person who, by reason of his being a director or named as a director, or as having agreed to become a director, or of his having authorised the issue of the prospectus, becomes liable to make any payment under this section, may recover contribution, as in cases of contract, from any other person who, if sued separately, would have been liable to make the same payment, unless the person who has become so liable was, and that other person was not, guilty of fraudulent misrepresentation.

(*5*) For the purposes of this section—

(*a*) the expression "promoter" means a promoter who was a party to the preparation of the prospectus, or the portion thereof containing the misleading or untrue statement, but does not include any person by reason of his acting in a professional capacity for persons engaged in procuring the formation of the company;

(*b*) the expression "expert" includes engineer, valuer, accountant and any other person whose profession gives authority to a statement made by him.

Allotment.

101. (*1*) No allotment shall be made of any share capital of a company offered to the public for subscription, unless the following conditions have been complied with, namely:—

Restriction as to allotment.

(*a*) the amount (if any) fixed by the memorandum or articles and named in the prospectus as the minimum subscription upon which the directors may proceed to allotment; or

(*b*) if no amount is so fixed and named, then the whole amount of the share capital so offered for subscription,

has been subscribed, and the sum payable on application for the amount so fixed and named or for the whole amount offered for subscription, has been paid to and received in cash by the company.

(*2*) The amount so fixed and named and the whole amount aforesaid shall be reckoned exclusively of any amount payable otherwise than in cash, and is in this Act referred to as the minimum subscription.

(*3*) The amount payable on application on each share shall not be less than five per cent. of the nominal amount of the share.

(*4*) If the conditions aforesaid have not been complied with on the expiration of one hundred and twenty days after the first issue of the prospectus, all money received from applicants for shares shall be forthwith repaid to them without interest, and, if any such money is not so repaid within one hundred and thirty days after the issue of the prospectus, the directors of the company shall be jointly and severally liable to repay that money with interest at the rate of seven per cent. per annum from the expiration of the one hundred and thirtieth day: Provided that a director shall not be liable if he proves that the loss of the money was not due to any misconduct or negligence on his part.

(*5*) Any condition requiring or binding any applicant for shares to waive compliance with any requirement of this section shall be void.

(*6*) This section, except sub-section (*3*) thereof, shall not apply to any allotment of shares subsequent to the first allotment of shares offered to the public for subscription.

(*7*) In the case of the first allotment of share capital payable in cash of a company which does not issue any invitation to the public to subscribe for its shares, no allotment shall be made unless the minimum subscription (that is to say)—

(*a*) the amount (if any) fixed by the memorandum or articles and named in the statement in lieu of prospectus as the minimum subscription upon which the directors may proceed to allotment; or

(*b*) if no amount is so fixed and named, the whole amount of the share capital other than that issued or agreed to be issued as fully or partly paid up otherwise than in cash;

has been subscribed and an amount not less than five per cent. of the nominal amount of each share payable in cash has been paid to and received by the company.

(*8*) Sub-section (*7*) shall not apply to a private company or to a company which has allotted any shares or debentures before the commencement of this Act.

102. (*1*) An allotment made by a company to an applicant in contravention of the provisions of section 101 shall be voidable at the instance of the applicant within one month after the holding of the statutory meeting of the company and not later, and shall be so voidable notwithstanding that the company is in course of being wound up.

Effect of irregular allotment.

(*2*) If any director of a company knowingly contravenes or permits or authorises the contravention of any of the provisions of section 101 with respect to allotment, he shall be liable to compensate the company and the allottee respectively for any loss, damages or costs which the company or the allottee may have sustained or incurred thereby: Provided that proceedings to recover any such loss, damages or costs shall not be commenced after the expiration of two years from the date of the allotment.

103. (*1*) A company shall not commence any business or exercise any borrowing powers unless—

Restrictions on commencement of business.

(*a*) shares held subject to the payment of the whole amount thereof in cash have

The Indian Companies Act, 1913.

(*Part IV.—Management and Administration.—Sections 103-105.*)

been allotted to an amount not less in the whole than the minimum subscription; and

(*b*) every director of the company has paid to the company on each of the shares taken or contracted to be taken by him, and for which he is liable to pay in cash, a proportion equal to the proportion payable on application and allotment on the shares offered for public subscription or, in the case of a company which does not issue a prospectus inviting the public to subscribe for its shares, on the shares payable in cash; and

(*c*) there has been filed with the registrar a duly verified declaration by the secretary or one of the directors, in the prescribed form, that the aforesaid conditions have been complied with; and

(*d*) in the case of a company which does not issue a prospectus inviting the public to subscribe for its shares, there has been filed with the registrar a statement in lieu of prospectus.

(*2*) The registrar shall, on the filing of a duly verified declaration, in accordance with the provisions of this section certify that the company is entitled to commence business, and that certificate shall be conclusive evidence that the company is so entitled:

Provided that, in the case of a company which does not issue a prospectus inviting the public to subscribe for its shares, the registrar shall not give such a certificate unless a statement in lieu of prospectus has been filed with him.

(*3*) Any contract made by a company before the date at which it is entitled to commence business shall be provisional only, and shall not be binding on the company until that date, and on that date it shall become binding.

(*4*) Nothing in this section shall prevent the simultaneous offer for subscription or allotment of any shares and debentures or the receipt of any money payable on application for debentures.

(*5*) If any company commences business or exercises borrowing powers in contravention of this section, every person who is responsible for the contravention shall, without prejudice to any other liability, be liable to a fine not exceeding five hundred rupees for every day during which the contravention continues.

(*6*) Nothing in this section shall apply to a private company, or to a company registered before the commencement of this Act which does not issue a prospectus inviting the public to subscribe for its shares or, in so far as its provisions relate to shares, to a company limited by guarantee and not having a share capital.

Return as to allotments.

104. (*1*) Whenever a company having a share capital makes any allotment of its shares, the company shall, within one month thereafter,—

(*a*) file with the registrar a return of the allotments, stating the number and nominal amount of the shares comprised in the allotment, the names, addresses and descriptions of the allottees, and the amount (if any) paid or due and payable on each share; and

(*b*) in the case of shares allotted as fully or partly paid up otherwise than in cash, produce for the inspection and examination of the registrar a contract in writing constituting the title of the allottee to the allotment together with any contract of sale, or for services or other consideration in respect of which that allotment was made, such contracts being duly stamped, and file with the registrar copies verified in the prescribed manner of all such contracts and a return stating the number and nominal amount of shares so allotted, the extent to which they are to be treated as paid up, and the consideration for which they have been allotted.

(*2*) Where such a contract as above-mentioned is not reduced to writing, the company shall, within one month after the allotment, file with the registrar the prescribed particulars of the contract stamped with the same stamp-duty as would have been payable if the contract had been reduced to writing, and these particulars shall be deemed to be an instrument within the meaning of the Indian Stamp Act, 1899, and the registrar may, as a condition of filing the particulars, require that the duty payable thereon be adjudicated under section 31 of that Act. II of 1899.

(*3*) If default is made in complying with the requirements of this section, every officer of the company who is knowingly a party to the default shall be liable to a fine not exceeding five hundred rupees for every day during which the default continues:

Provided that, in case of default in filing with the registrar within one month after the allotment any document required to be filed by this section, the company, or any person liable for the default, may apply to the Court for relief, and the Court, if satisfied that the omission to file the document was accidental or due to inadvertence or that on other grounds it is just and equitable to grant relief, may make an order extending the time for the filing of the document for such a period as the Court may think proper.

Commissions and Discounts.

Power to pay certain commissions and prohibition of payment of all other commissions, discounts, etc.

105. (*1*) It shall be lawful for a company to pay a commission to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares in the company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any shares in the company, if the payment of the commission is authorised by the articles, and the commission paid or agreed to be paid does not exceed the amount or rate so authorised and if the amount or rate per cent. of the commission paid or agreed to be paid is—

(*a*) in the case of shares offered to the public for subscription, disclosed in the prospectus; or

(*b*) in the case of shares not offered to the public for subscription, disclosed in the statement in lieu of prospectus, or in a statement in the prescribed form signed in like manner as a statement in lieu of

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Sections 106-109.)

prospectus and filed with the registrar and, where a circular or notice, not being a prospectus inviting subscription for the shares is issued, also disclosed in that circular or notice.

(2) Save as aforesaid, no company shall apply any of its shares or capital money either directly or indirectly in payment of any commission, discount or allowance, to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares of the company, or procuring, or agreeing to procure subscriptions, whether absolute or conditional, for any shares in the company, whether the shares or money be so applied by being added to the purchase-money of any property acquired by the company or to the contract price of any work to be executed for the company, or the money be paid out of the nominal purchase-money or contract price, or otherwise.

(3) Nothing in this section shall affect the power of any company to pay such brokerage as it has heretofore been lawful for a company to pay, and a vendor to, promoter of, or other person who receives payment in money or shares from, a company shall have and shall be deemed always to have had power to apply any part of the money or shares so received in payment of any commission, the payment of which, if made directly by the company, would have been legal under this section.

Statement in balance-sheet as to commissions and discounts.

106. Where a company has paid any sums by way of commission in respect of any shares or debentures, or allowed any sums by way of discount in respect of any debentures, the total amount so paid or allowed or so much thereof as has not been written off, shall be stated in every balance-sheet of the company until the whole amount thereof has been written off.

Payment of interest out of Capital.

Power of company to pay interest out of capital in certain cases.

107. Where any shares of a company are issued for the purpose of raising money to defray the expenses of the construction of any works or buildings or the provision of any plant which cannot be made profitable for a lengthened period, the company may pay interest on so much of that share capital as is for the time being paid up for the period and subject to the conditions and restrictions in this section mentioned, and may charge the same to capital as part of the cost of construction of the work or building, or the provision of plant:

Provided that—

(1) no such payment shall be made unless the same is authorised by the articles or by special resolution;

(2) no such payment, whether authorised by the articles or by special resolution, shall be made without the previous sanction of the Local Government, which sanction shall be conclusive evidence for the purposes of this section that the shares of the company, in respect of which such sanction is given, have been issued for a purpose specified in this section;

(3) before sanctioning any such payment, the Local Government may, at the expense of the company, appoint a person to inquire and report to such Local Government as to the circumstances of the case, and may, before making the appointment, require the company to give security for the payment of the costs of the inquiry;

(4) the payment shall be made only for such period as may be determined by the Local Government; and such period shall in no case extend beyond the close of the half-year next after the half-year during which the works or buildings have been actually completed or the plant provided;

(5) the rate of interest shall in no case exceed four per cent. per annum or such lower rate as the Governor General in Council may, by notification in the Gazette of India, prescribe;

(6) the payment of the interest shall not operate as a reduction of the amount paid up on the shares in respect of which it is paid;

(7) the accounts of the company shall show the share capital on which, and the rate at which, interest has been paid out of capital during the period to which the accounts relate;

(8) nothing in this section shall affect any company to which the Indian Railway Companies Act, 1895, or the Indian Tramways Act, 1902, applies.

Certificates of Shares, etc.

Limitation of time for issue of certificates.

108. (1) Every company shall, within three months after the allotment of any of its shares, debentures or debenture stock, and within three months after the registration of the transfer of any such shares, debentures or debenture stock, complete and have ready for delivery the certificates of all shares, the debentures, and the certificates of all debenture stock allotted or transferred, unless the conditions of issue of the shares, debentures or debenture stock otherwise provide.

(2) If default is made in complying with the requirements of this section, the company, and every officer of the company who is knowingly a party to the default, shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Information as to Mortgages, Charges, etc.

Certain mortgages and charges to be void if not registered.

109. Every mortgage or charge created after the commencement of this Act by a company and being either—

(a) a mortgage or charge for the purpose of securing any issue of debentures; or

(b) a mortgage or charge on uncalled share capital of the company; or

(c) a mortgage or charge on any immoveable property wherever situate, or any interest therein; or

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Sections 109-113.)

(*d*) a mortgage or charge on any book debts of the company; or

(*e*) a floating charge on the undertaking or property of the company;

shall, so far as any security on the company's property or undertaking is thereby conferred, be void against the liquidator and any creditor of the company, unless the prescribed particulars of the mortgage or charge, together with the instrument (if any) by which the mortgage or charge is created or evidenced, or a copy thereof verified in the prescribed manner are filed with the registrar for registration in manner required by this Act within twenty-one days after the date of its creation, but without prejudice to any contract or obligation for repayment of the money thereby secured, and when a mortgage or charge becomes void under this section, the money secured thereby shall immediately become payable:

Provided that—

(*i*) in the case of a mortgage or charge created out of British India comprising solely property situate outside British India, twenty-one days after the date on which the instrument or copy could, in due course of post, and if despatched with due diligence, have been received in British India shall be substituted for twenty-one days after the date of the creation of the mortgage or charge, as the time within which the particulars and instrument or copy are to be filed with the registrar; and

(*ii*) where the mortgage or charge is created in British India but comprises property outside British India, the instrument creating or purporting to create the mortgage or charge or a copy thereof verified in the prescribed manner may be filed for registration notwithstanding that further proceedings may be necessary to make the mortgage or charge valid or effectual according to the law of the country in which the property is situate; and

(*iii*) where a negotiable instrument has been given to secure the payment of any book debts of a company, the deposit of the instrument for the purpose of securing an advance to the company shall not for the purposes of this section be treated as a mortgage or charge on those book debts; and

(*iv*) the holding of debentures entitling the holder to a charge on immoveable property shall not be deemed to be an interest in immoveable property.

Particulars in case of series of debentures entitling holders *pari passu*.

110. Where a series of debentures containing, or giving by reference to any other instrument, any charge to the benefit of which the debenture-holders of that series are entitled *pari passu* is created by a company, it shall be sufficient for the purposes of section 109 if there are filed with the registrar within twenty-one days after the execution of the deed containing the charge or, if there is no such deed, after the execution of any debentures of the series, the following particulars:—

(*a*) the total amount secured by the whole series; and

(*b*) the dates of the resolutions authorising the issue of the series and the date of the covering deed (if any) by which the security is created or defined; and

(*c*) a general description of the property charged; and

(*d*) the names of the trustees (if any) for the debenture-holders;

together with the deed or a copy thereof verified in the prescribed manner containing the charge, or if there is no such deed, one of the debentures of the series, and the registrar shall, on payment of the prescribed fee, enter those particulars in the register:

Provided that, where more than one issue is made of debentures in the series, there shall be filed with the registrar for entry in the register particulars of the date and amount of each issue, but an omission to do this shall not affect the validity of the debentures issued.

Particulars in case of commission, etc., on debentures.

111. Where any commission, allowance or discount has been paid or made either directly or indirectly by the company to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any debentures of the company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any such debentures, the particulars required to be filed for registration under sections 109 and 110 shall include particulars as to the amount or rate per cent. of the commission, discount or allowance so paid or made, but an omission to do this shall not affect the validity of the debentures issued:

Provided that the deposit of any debentures as security for any debt of the company shall not for the purposes of this provision be treated as the issue of the debentures at a discount.

Register of mortgages and charges.

112. (*1*) The registrar shall keep, with respect to each company, a register in the prescribed form of all the mortgages and charges created by the company after the commencement of this Act and requiring registration under section 109, and shall, on payment of the prescribed fee, enter in the register, with respect to every such mortgage or charge, the date of creation, the amount secured by it, short particulars of the property mortgaged or charged, and the names of the mortgagees or persons entitled to the charge.

(*2*) After making the entry required by sub-section (*1*), the registrar shall return the instrument (if any) or the verified copy thereof, as the case may be, filed in accordance with the provisions of section 109 or section 110 to the person filing the same.

(*3*) The register kept in pursuance of this section shall be open to inspection by any person on payment of the prescribed fee, not exceeding one rupee for each inspection.

Index to register of mortgages and charges.

113. The registrar shall keep a chronological index, in the prescribed form and with the prescribed particulars, of the mortgages or charges registered with him under this Act.

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Sections 114-122.)

Certificate of registration.

114. The registrar shall give a certificate under his hand of the registration of any mortgage or charge registered in pursuance of section 109, stating the amount thereby secured, and the certificate shall be conclusive evidence that the requirements of sections 109 to 112 as to registration have been complied with.

Endorsement of certificate of registration on debenture or certificate of debenture stock.

115. The company shall cause a copy of every certificate of registration given under section 114, to be endorsed on every debenture or certificate of debenture stock which is issued by the company, and the payment of which is secured by the mortgage or charge so registered :

Provided that nothing in this section shall be construed as requiring a company to cause a certificate of registration of any mortgage or charge so given to be endorsed on any debenture or certificate of debenture stock which has been issued by the company before the mortgage or charge was created.

Duty of company and right of interested party as regards registration.

116. (*1*) It shall be the duty of the company to file with the registrar for registration the prescribed particulars of every mortgage or charge created by the company and of the issues of debentures of a series, requiring registration under section 109, but registration of any such mortgage or charge may be effected on the application of any person interested therein.

(*2*) Where the registration is effected on the application of some person other than the company, that person shall be entitled to recover from the company the amount of any fees properly paid by him to the registrar on the registration.

Copy of instrument creating mortgage or charge to be kept at registered office.

117. Every company shall cause a copy of every instrument creating any mortgage or charge requiring registration under section 109, to be kept at the registered office of the company : Provided that, in the case of a series of uniform debentures, a copy of one such debenture shall be sufficient.

Registration of appointment of receiver.

118. (*1*) If any person obtains an order for the appointment of a receiver of the property of a company, or appoints such a receiver under any powers contained in any instrument, he shall, within fifteen days from the date of the order or of the appointment under the powers contained in the instrument, file notice of the fact with the registrar, and the registrar shall, on payment of the prescribed fee, enter the fact in the register of mortgages and charges.

(*2*) If any person makes default in complying with the requirements of this section, he shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Filing of accounts of receivers.

119. (*1*) Every receiver of the property of a company who has been appointed under the powers contained in any instrument, and who has taken possession, shall once in every half-year while he remains in possession, and also on ceasing to act as receiver, file with the registrar an abstract in the prescribed form of his receipts and payments during the period to which the abstract relates, and shall also on ceasing to act as receiver file with the registrar notice to that effect, and the registrar shall enter the notice in the register of mortgages and charges.

(*2*) Every receiver who makes default in complying with the provisions of this section shall be liable to a fine not exceeding five hundred rupees.

Rectification of register of mortgages.

120. The Court, on being satisfied that the omission to register a mortgage or charge within the time required by section 109, or that the omission or mis-statement of any particular with respect to any such mortgage or charge, was accidental, or due to inadvertence or to some other sufficient cause, or is not of a nature to prejudice the position of creditors or shareholders of the company, or that on other grounds it is just and equitable to grant relief, may, on the application of the company or any person interested, and on such terms and conditions as seem to the Court just and expedient, order that the time for registration be extended, or, as the case may be, that the omission or mis-statement be rectified, and may make such order as to the costs of the application as it thinks fit.

Entry of satisfaction.

121. The registrar may, on evidence being given to his satisfaction that the debt for which any registered mortgage or charge was given has been paid or satisfied, order that a memorandum of satisfaction be entered on the register, and shall if required furnish the company with a copy thereof.

Penalties.

122. (*1*) If any company makes default in filing with the registrar for registration the particulars—

(*a*) of any mortgage or charge created by the company ; or

(*b*) of the issues of debentures of a series,

requiring registration with the registrar under the foregoing provisions of this Act, then, unless the registration has been effected on the application of some other person, the company, and every officer of the company or other person who is knowingly a party to the default, shall on conviction be liable to a fine not exceeding five hundred rupees for every day during which the default continues.

(*2*) Subject as aforesaid, if any company makes default in complying with any of the requirements of this Act as to the registration with the registrar of any mortgage or charge created by the company, the company, and every officer of the company, who knowingly and wilfully authorises or permits the default shall, without prejudice to any other liability, be liable on conviction to a fine not exceeding one thousand rupees.

(*3*) If any person knowingly and wilfully authorises or permits the delivery of any debenture or certificate of debenture stock requiring registration with the registrar under the foregoing provisions of this Act without a copy of the certificate of registration being endorsed upon it, he shall, without prejudice to any other liability, be liable on conviction to a fine not exceeding one thousand rupees.

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Sections 123-127.)

Company's register of mortgages.

123. (*1*) Every limited company shall keep a register of mortgages and enter therein all mortgages and charges specifically affecting property of the company, giving in each case a short description of the property mortgaged or charged, the amount of the mortgage or charge and (except in the case of securities to bearer) the names of the mortgagees or persons entitled thereto.

(*2*) If any director, manager or other officer of the company knowingly and wilfully authorises or permits the omission of any entry required to be made in pursuance of this section, he shall be liable to a fine not exceeding five hundred rupees.

Right to inspect copies of instruments creating mortgages and charges and company's register of mortgages.

124. (*1*) The copies kept at the registered office of the company in pursuance of section 117 of instruments creating any mortgage or charge requiring registration under this Act with the registrar and the register of mortgages kept in pursuance of section 123, shall be open at all reasonable times to the inspection of any creditor or member of the company without fee, and the register of mortgages shall also be open to the inspection of any other person on payment of such fee, not exceeding one rupee for each inspection, as the company may prescribe.

(*2*) If inspection of the said copies or register is refused, the company shall be liable to a fine not exceeding fifty rupees and a further fine not exceeding twenty rupees for every day during which the refusal continues, and every officer of the company who knowingly authorises or permits the refusal shall incur the like penalty, and in addition to the above penalty, the Court may by order compel an immediate inspection of the copies or register.

Right to inspect the register of debenture-holders and to have copies of trust-deed.

125. (*1*) Every register of holders of debentures of a company shall, except when closed in accordance with the articles during such period or periods (not exceeding in the whole thirty days in any year) as may be specified in the articles be open to the inspection of the registered holder of any such debentures, and of any holder of shares in the company, but subject to such reasonable restrictions as the company may in general meeting impose, so that at least two hours in each day are appointed for inspection, and every such holder may require a copy of the register or any part thereof on payment of six annas for every one hundred words or fractional part thereof required to be copied.

(*2*) A copy of any trust-deed for securing any issue of debentures shall be forwarded to every holder of any such debentures at his request on payment in the case of a printed trust-deed of the sum of one rupee or such less sum as may be prescribed by the company, or, where the trust-deed has not been printed, on payment of six annas for every one hundred words or fractional part thereof required to be copied.

(*3*) If inspection is refused, or a copy is refused or not forwarded, the company shall be liable to a fine not exceeding fifty rupees, and to a further fine not exceeding twenty rupees for every day during which the refusal continues, and every officer of the company who knowingly authorises or permits the refusal shall incur the like penalty, and the Court may by order compel an immediate inspection of the register.

Debentures and Floating Charges.

Perpetual debentures.

126. A condition contained in any debentures or in any deed for securing any debentures, whether issued or executed before or after the passing of this Act, shall not be invalid by reason only that thereby the debentures are made irredeemable or redeemable only on the happening of a contingency, however remote, or on the expiration of a period however long.

Power to re-issue redeemed debentures in certain cases.

127 (*1*) Where either before or after the commencement of this Act a company has redeemed any debentures previously issued, the company, unless the articles or the conditions of issue expressly otherwise provide, or unless the debentures have been redeemed in pursuance of any obligation on the company so to do (not being an obligation enforceable only by the person to whom the redeemed debentures were issued or his assigns) shall have power, and shall be deemed always to have had power, to keep the debentures alive for the purposes of re-issue, and where a company has purported to exercise such a power the company shall have power, and shall be deemed always to have had power, to re-issue the debentures either by re-issuing the same debentures or by issuing other debentures in their place, and upon such re-issue the person entitled to the debentures shall have, and shall be deemed always to have had, the same rights and priorities as if the debentures had not previously been issued.

(*2*) Where with the object of keeping debentures alive for the purpose of re-issue they have, either before or after the commencement of this Act, been transferred to a nominee of the company, a transfer from that nominee shall be deemed to be a re-issue for the purposes of this section.

(*3*) Where a company has, either before or after the commencement of this Act, deposited any of its debentures to secure advances from time to time on current account or otherwise, the debentures shall not be deemed to have been redeemed by reason only of the account of the company having ceased to be in debit whilst the debentures remained so deposited.

(*4*) The re-issue of a debenture or the issue of another debenture in its place under the power by this section given to, or deemed to have been possessed by, a company, whether the re-issue or issue was made before or after the commencement of this Act, shall be treated as the issue of a new debenture for the purposes of stamp-duty, but it shall not be so treated for the purposes of any provision limiting the amount or number of debentures to be issued :

Provided that any person lending money on the security of a debenture re-issued under this section which appears to be duly stamped may give the debenture in evidence in any proceedings for enforcing his security without payment of the stamp-duty or any penalty in respect thereof, unless he had notice or, but for his negligence, might have discovered, that the debenture was not duly stamped, but in any such case the company

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Sections 128-134.)

shall be liable to pay the proper stamp-duty and penalty.

(5) Nothing in this section shall prejudice—

(a) the operation of any decree or order of a Court of competent jurisdiction pronounced or made before the twenty-fifth day of February, 1910, as between the parties to the proceedings in which the decree or order was made, and any appeal from any such decree or order shall be decided as if this Act had not been passed; or

(b) any power to issue debentures in the place of any debentures paid off or otherwise satisfied or extinguished, reserved to a company by its debentures or the securities for the same.

Specific performance of contract to subscribe for debentures.

128. A contract with a company to take up and pay for any debentures of the company may be enforced by a decree for specific performance.

Payments of certain debts out of assets subject to floating charge in priority to claims under the charge.

129. (1) Where either a receiver is appointed on behalf of the holders of any debentures of a company secured by a floating charge, or possession is taken by or on behalf of those debenture-holders of any property comprised in or subject to the charge, then, if the company is not at the time in course of being wound up, the debts which in every winding up are under the provisions of Part V relating to preferential payments to be paid in priority to all other debts, shall be paid forthwith out of any assets coming to the hands of the receiver or other person taking possession as aforesaid in priority to any claim for principal or interest in respect of the debentures.

(2) The periods of time mentioned in the said provisions of Part V shall be reckoned from the date of the appointment of the receiver or of possession being taken as aforesaid, as the case may be.

(3) Any payments made under this section shall be recouped, as far as may be, out of the assets of the company available for payment of general creditors.

Statements, Books and Accounts.

Company to keep proper books of account.

130. Every company shall keep proper books of account in which shall be entered full, true and complete accounts of the affairs and transactions of the company.

Annual balance-sheet.

131. (1) Every company shall, once at least in every year and at intervals of not more than fifteen months, cause the accounts of the company to be balanced and a balance-sheet to be prepared.

(2) The balance-sheet shall be audited by the auditor of the company as hereinafter provided, and the auditor's report shall be attached thereto, or there shall be inserted at the foot thereof a reference to the report, and the report shall be read before the company in general meeting and shall be open to inspection by any member of the company.

(3) Every company other than a private company shall send a copy of such balance-sheet so audited to the registered address of every member of the company at least seven days before the meeting at which it is to be laid before the members of the company, and shall deposit a copy at the registered office of the company for the inspection of the members of the company during a period of at least seven days before that meeting.

(4) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding one thousand rupees, and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

Contents of balance-sheet.

132. (1) The balance-sheet shall contain a summary of the property and assets and of the capital and liabilities of the company giving such particulars as will disclose the general nature of those liabilities and assets and how the value of the fixed assets has been arrived at.

(2) The balance-sheet shall be in the form marked F in the Third Schedule or as near thereto as circumstances admit.

Authentication of balance-sheet.

133. (1) Save as provided by sub-section (2) the balance-sheet shall—

(i) in the case of a banking company, be signed by the manager (if any) and, where there are more than three directors of the company, by at least three of those directors and, where there are not more than three directors, by all the directors;

(ii) in the case of any other company, be signed by two directors or, when there are less than two directors, by the sole director and by the manager (if any) of the company.

(2) When the total number of directors of the company for the time being in British India is less than the number of directors whose signatures are required by sub-section (1), then the balance-sheet shall be signed by all the directors for the time being in British India, or, if there is only one director for the time being in British India, by such director, but in such a case there shall be subjoined to the balance-sheet a statement signed by such directors or director explaining the reason for non-compliance with the provisions of sub-section (1).

(3) If any copy of a balance-sheet which has not been signed as required by this section is issued, circulated or published, the company and every officer of the company who is knowingly a party to the default shall be punishable with fine which may extend to five hundred rupees.

Copy of balance-sheet and auditor's report to be forwarded to the registrar.

134. (1) After the balance-sheet has been laid before the company at the general meeting, a copy thereof signed by the manager or secretary of the company shall be filed with the registrar at the same time as the copy of the annual list of members and summary prepared in accordance with the requirements of section 32.

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Sections 135-139.)

(*2*) If the general meeting before which a balance-sheet is laid does not adopt the balance-sheet, a statement of that fact and of the reasons therefor shall be annexed to the balance-sheet and to the copy thereof required to be filed with the registrar.

(*3*) This section shall not apply to a private company.

(*4*) If a company makes default in complying with the requirements of this section, the company and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty as is provided by section 32 for a default in complying with the provisions of that section.

135. Right of member of company to copies of the balance-sheet and the auditor's report. Save as otherwise provided in this Act, any member of a company shall be entitled to be furnished with copies of the balance-sheet and the auditor's report at a charge not exceeding six annas for every hundred words or fractional part thereof.

Statement to be published by Banking and certain other Companies.

136. (*1*) Certain companies to publish statement in schedule. Every company being a limited banking company or an insurance company or a deposit, provident or benefit society shall, before it commences business, and also on the first Monday in February and the first Monday in August in every year during which it carries on business, make a statement in the form marked G in the Third Schedule, or as near thereto as circumstances will admit.

(*2*) A copy of the statement shall be displayed and, until the display of the next following statement, kept displayed in a conspicuous place in the registered office of the company, and in every branch office or place where the business of the company is carried on.

(*3*) Every member and every creditor of the company shall be entitled to a copy of the statement on payment of a sum not exceeding eight annas.

(*4*) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues; and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

(*5*) This section shall not apply to a life assurance company or provident insurance society to which the provisions of the Indian Life Assurance Companies Act, 1912, or of the Provident Insurance Societies Act, 1912, as the case may be, as to the annual statements to be made by such company or society apply with or without modifications, if the company or society complies with those provisons.

Investigation by the Registrar.

137. (*1*) Power of registrar to call for information or explanation. Where the registrar, on perusal of any document which a company is required to submit to him under the provisions of this Act, is of opinion that any information or explanation is necessary in order that such document may afford full particulars of the matter to which it purports to relate, he may, by a written order call on the company submitting the document to furnish in writing such information or explanation within such time as he may specify in his order.

(*2*) On the receipt of an order under sub-section (*1*), it shall be the duty of all persons who are or have been officers of the company to furnish such information or explanation to the best of their power.

(*3*) If any such person refuses or neglects to furnish any such information or explanation, he shall be liable to a fine not exceeding fifty rupees in respect of each offence.

(*4*) On receipt of such information or explanation the registrar may annex the same to the original document submitted to him; and any additional document so annexed by the registrar shall be subject to the like provisions as to inspection and the taking of copies as the original document is subject.

(*5*) If such information or explanation is not furnished within the specified time, or if after perusal of such information or explanation the registrar is of opinion that the document in question discloses an unsatisfactory state of affairs, or that it does not disclose a full and fair statement of the matters to which it purports to relate, the registrar shall report in writing the circumstances of the case to the Local Government.

Inspection and Audit.

138. Investigation of affairs of company by inspectors. The Local Government may appoint one or more competent inspectors to investigate the affairs of any company and to report thereon in such manner as the Local Government may direct—

(i) in the case of a banking company having a share capital, on the application of members holding not less than one-fifth of the shares issued;

(ii) in the case of any other company having a share capital, on the application of members holding not less than one-tenth of the shares issued;

(iii) in the case of a company not having a share capital, on the application of not less than one-fifth in number of the persons on the company's register of members;

(iv) in the case of any company, on a report by the registrar under section 137, sub-section (*5*).

139. Application for inspection to be supported by evidence. An application by members of a company under section 138 shall be supported by such evidence as the Local Government may require for the purpose of showing that the applicants have good reason for, and are not actuated by malicious motives in, requiring the investigation; and the Local Government may, before appointing an inspector, require the applicants to give security for payment of the costs of the inquiry.

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Sections 140-144.)

140. (*1*) It shall be the duty of all persons who are or have been officers of the company to produce to the inspectors all books and documents in their custody or power relating to the company.

Inspection of books and examination of officers.

(*2*) An inspector may examine on oath any such person in relation to its business, and may administer an oath accordingly.

(*3*) If any person refuses to produce any book or document which under this section it is his duty to produce, or to answer any question relating to the affairs of the company, he shall be liable to a fine not exceeding fifty rupees in respect of each offence.

141. (*1*) On the conclusion of the investigation the inspectors shall report their opinion to the Local Government, and a copy of the report shall be forwarded by the Local Government to the registered office of the company, and a further copy shall, at the request of the applicants for the investigation, be delivered to them.

Results of examination how dealt with.

(*2*) The report shall be written or printed, as the Local Government directs.

(*3*) All expenses of, and incidental to, the investigation shall be defrayed by the applicants unless the Local Government directs the same to be paid by the company, which the Local Government is hereby authorised to do.

142. (*1*) A company may by special resolution appoint inspectors to investigate its affairs.

Power of company to appoint inspectors.

(*2*) Inspectors so appointed shall have the same powers and duties as inspectors appointed by the Local Government, except that, instead of reporting to the Local Government, they shall report in such manner and to such persons as the company in general meeting may direct.

(*3*) All persons who are or have been officers of the company shall incur the like penalties in case of refusal to produce any book or document required to be produced to inspectors so appointed, or to answer any question, as they would have incurred if the inspectors had been appointed by the Local Government.

143. A copy of the report of any inspectors appointed under this Act, authenticated by the seal of the company whose affairs they have investigated, shall be admissible in any legal proceeding as evidence of the opinion of the inspectors in relation to any matter contained in the report.

Report of inspectors to be evidence.

144. (*1*) No person shall be appointed or act as an auditor of any company other than a private company unless he holds a certificate from the Local Government entitling him to act as an auditor of companies:

Qualifications and appointment of auditors.

Provided that the Governor General in Council may, by notification in the Gazette of India, declare that the members of any institution or association specified in such notification shall be entitled to be appointed and to act as auditors of companies throughout British India.

(*2*) The Local Government shall, by notification in the local official Gazette, make rules providing for the grant of certificates entitling the holders thereof to act as auditors of companies, and may by such rules provide the conditions and restrictions on and subject to which such certificate shall be granted. The holder of such a certificate shall be entitled to act as an auditor of companies throughout British India unless such certificate restricts or limits the exercise of the right.

(*3*) Every company shall at each annual general meeting appoint an auditor or auditors to hold office until the next annual general meeting.

(*4*) If an appointment of an auditor is not made at an annual general meeting, the Local Government may, on the application of any member of the company, appoint an auditor of the company for the current year, and fix the remuneration to be paid to him by the company for his services.

(*5*) The following persons: that is to say,

(i) a director or officer of the company; and

(ii) a partner of such director or officer; and

(iii) in the case of a company other than a private company, any person in the employment of such director or officer,

shall not be appointed auditors of the company.

(*6*) A person, other than a retiring auditor, shall not be capable of being appointed auditor at an annual general meeting unless notice of an intention to nominate that person to the office of auditor has been given by a member of the company to the company not less than fourteen days before such annual general meeting, and the company shall send a copy of any such notice to the retiring auditor, and shall give notice thereof to its members either by advertisement or in any other mode allowed by the articles not less than seven days before the annual general meeting:

Provided that, if after notice of the intention to nominate an auditor has been given to the company, an annual general meeting is called for a date fourteen days or less after the notice has been given, the requirements of this section as to time in respect of such a notice shall be deemed to have been satisfied, and the notice to be sent or given by the company may, instead of being sent or given within the time required by this section, be sent or given at the same time as the notice of the annual general meeting.

(*7*) The first auditors of the company may be appointed by the directors before the statutory meeting, and if so appointed shall hold office until the first annual general meeting, unless previously removed by a resolution of the members of the company in general meeting, in which case such members at that meeting may appoint auditors.

(*8*) The directors may fill any casual vacancy in the office of auditor, but while any such vacancy continues, the surviving or continuing auditor or auditors (if any) may act.

(*9*) The remuneration of the auditors of a company shall be fixed by the company in general meeting, except that the remuneration of any auditors appointed before the statutory meeting, or to fill any casual vacancy, may be fixed by the directors.

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Sections 145-153.)

Powers and duties of auditors.

145. (1) Every auditor of a company shall have a right of access at all times to the books and accounts and vouchers of the company, and shall be entitled to require from the directors and officers of the company such information and explanation as may be necessary for the performance of the duties of the auditors.

(2) The auditors shall make a report to the members of the company on the accounts examined by them, and on every balance-sheet laid before the company in general meeting during their tenure of office, and the report shall state—

(a) whether or not they have obtained all the information and explanations they have required; and

(b) whether, in their opinion, the balance-sheet referred to in the report is drawn up in conformity with the law; and

(c) whether such balance-sheet exhibits a true and correct view of the state of the company's affairs according to the best of their information and the explanations given to them, and as shown by the books of the company.

(3) In the case of a banking company, if the company has branch banks beyond the limits of India, it shall be sufficient if the auditor is allowed access to such copies of and extracts from the books and accounts of any such branch as have been transmitted to the head office of the company in British India.

Rights of preference shareholders, etc., as to receipt and inspection of reports, etc.

146. (1) Holders of preference shares and debentures of a company shall have the same right to receive and inspect the balance-sheets of the company and the reports of the auditors and other reports as is possessed by the holders of ordinary shares in the company.

(2) This section shall not apply to a private company, nor to a company registered before the commencement of this Act.

Carrying on business with less than the legal minimum of members.

Liability for carrying on business with fewer than seven or, in the case of a private company, two members.

147. If at any time the number of members of a company is reduced, in the case of a private company, below two, or in the case of any other company, below seven, and it carries on business for more than six months while the number is so reduced, every person who is a member of the company during the time that it so carries on business after those six months and is cognisant of the fact that it is carrying on business with fewer than two members or seven members, as the case may be, shall be severally liable for the payment of the whole debts of the company contracted during that time, and may be sued for the same without joinder in the suit of any other member.

Service and Authentication of Documents.

Service of documents on company.

148. A document may be served on a company by leaving it at, or sending it by post to, the registered office of the company.

Service of documents on registrar.

149. A document may be served on the registrar by sending it to him by post, or delivering it to him, or by leaving it for him at his office.

Authentication of documents.

150. A document or proceeding requiring authentication by a company may be signed by a director, secretary or other authorised officer of the company, and need not be under its common seal.

Tables, Forms and Rules as to prescribed matters.

Application and alteration of tables and forms, and power to make rules as to prescribed matters.

151. (1) The forms in the Third Schedule or forms as near thereto as circumstances admit shall be used in all matters to which those forms refer.

(2) The Governor General in Council may alter any of the tables and forms in the First Schedule, so that he does not increase the amount of fees payable to the registrar in the said Schedule mentioned, and may alter or add to the forms in the Third Schedule.

(3) Any such table or form, when altered, shall be published in the Gazette of India, and on such publication shall have effect as if enacted in this Act but no alteration made by the Governor General in Council in Table A in the First Schedule shall affect any company registered before the alteration, or repeal, as respects that company, any portion of that table.

(4) In addition to the powers hereinbefore conferred by this section, the Governor General in Council may make rules providing for all or any matters which by this Act are to be prescribed by his authority.

(5) Every such rule shall be published in the Gazette of India, and on such publication shall have effect as if enacted in this Act.

Arbitration and Compromise.

Power for companies to refer matters to arbitration.

152. (1) A company may by written agreement refer to arbitration, in accordance with the Indian Arbitration Act, 1899, an existing or future difference between itself and any other company or person. IX of 1899.

(2) Companies, parties to the arbitration, may delegate to the arbitrator power to settle any terms or to determine any matter capable of being lawfully settled or determined by the companies themselves, or by their directors or other managing body.

(3) The provisions of the Indian Arbitration Act, 1899, other than those restricting the application of the Act in respect of the subject-matter of the arbitration, shall apply to all arbitrations between companies and persons in pursuance of this Act. IX of 1899.

Power to compromise with creditors and members.

153. (1) Where a compromise or arrangement is proposed between a company and its creditors or any class of them, or between the company and its members or any class of them, the Court may, on the application in a summary way of the company or of any creditor or member of the company being wound up, or, in the case of a company

The Indian Companies Act, 1913.

(Part IV.—Management and Administration.—Section 154. Part V.—Winding up.—Sections 155–157.)

of the liquidator, order a meeting of the creditors or class of creditors, or of the members of the company or class of members, as the case may be, to be called, held and conducted in such manner as the Court directs.

(2) If a majority in number representing three-fourths in value of the creditors or class of creditors, or members or class of members, as the case may be, present either in person or by proxy at the meeting, agree to any compromise or arrangement, the compromise or arrangement shall, if sanctioned by the Court, be binding on all the creditors or the class of creditors, or on all the members or class of members, as the case may be, and also on the company, or, in the case of a company in the course of being wound up, on the liquidator and contributories of the company.

(3) In this section the expression "company" means any company liable to be wound up under this Act.

Conversion of private company into public company.

Conversion of private into public company.

154. (1) A private company may, subject to anything contained in its memorandum or articles, by a special resolution and by filing with the registrar a copy of such resolution and also such a statement in lieu of prospectus as the company, if a public company, would have had to file before allotting any of its shares or debentures, together with such a duly verified declaration as the company, if a public company, would have had to file before commencing business, turn itself into a public company.

(2) Upon the filing of the documents mentioned in sub-section (1), the registrar shall record the change in his books relating to the company.

PART V.

WINDING UP.

Preliminary.

Mode of winding up.

155. (1) The winding up of a company may be either—

(i) by the Court; or

(ii) voluntary; or

(iii) subject to the supervision of the Court.

(2) The provisions of this Act with respect to winding up apply, unless the contrary appears, to the winding up of a company in any of these modes.

Contributories.

Liability as contributories of present and past members.

156. (1) In the event of a company being wound up, every present and past member shall, subject to the provisions of this section, be liable to contribute to the assets of the company to an amount sufficient for payment of its debts and liabilities and the costs, charges and expenses of the winding up, and for the adjustment of the rights of the contributories among themselves, with the qualifications following (that is to say):—

(i) a past member shall not be liable to contribute if he has ceased to be a member for one year or upwards before the commencement of the winding up;

(ii) a past member shall not be liable to contribute in respect of any debt or liability of the company contracted after he ceased to be a member;

(iii) a past member shall not be liable to contribute unless it appears to the Court that the existing members are unable to satisfy the contributions required to be made by them in pursuance of this Act;

(iv) in the case of a company limited by shares, no contribution shall be required from any member exceeding the amount (if any) unpaid on the shares in respect to which he is liable as a present or past member;

(v) in the case of a company limited by guarantee, no contribution shall be required from any member exceeding the amount undertaken to be contributed by him to the assets of the company in the event of its being wound up;

(vi) nothing in this Act shall invalidate any provision contained in any policy of insurance or other contract whereby the liability of individual members on the policy or contract is restricted, or whereby the funds of the company are alone made liable in respect of the policy or contract;

(vii) a sum due to any member of a company in his character of a member, by way of dividends, profits or otherwise, shall not be deemed to be a debt of the company payable to that member in a case of competition between himself and any other creditor not a member of the company; but any such sum may be taken into account for the purpose of the final adjustment of the rights of the contributories among themselves.

(2) In the winding up of a company limited by guarantee which has a share capital, every member of the company shall be liable, in addition to the amount undertaken to be contributed by him to the assets of the company in the event of its being wound up, to contribute to the extent of any sums unpaid on any shares held by him.

Liability of directors whose liability is unlimited.

157. In the winding up of a limited company any director whether past or present, whose liability is, in pursuance of this Act, unlimited, shall, in addition to his liability (if any) to contribute as an ordinary member, be liable to make a further contribution as if he were at the commencement of the winding up a member of an unlimited company:

Provided that—

(i) a past director shall not be liable to make such further contribution if he has ceased to hold office for a year or upwards before the commencement of the winding up;

The Indian Companies Act, 1913.

(Part V.—Winding up.—Sections 158-166.)

(ii) a past director shall not be liable to make such further contribution in respect of any debt or liability of the company contracted after he ceased to hold office;

(iii) subject to the articles a director shall not be liable to make such further contribution unless the Court deems it necessary to require that contribution in order to satisfy the debts and liabilities of the company, and the costs, charges and expenses of the winding up.

Meaning of "contributory."

158. The term "contributory" means every person liable to contribute to the assets of a company in the event of its being wound up, and, in all proceedings for determining and in all proceedings prior to the final determination of the persons who are to be deemed contributories, includes any person alleged to be a contributory.

Nature of liability of contributory.

159. (*1*) The liability of a contributory shall create a debt accruing due from him at the time when his liability commenced, but payable at the times when calls are made for enforcing the liability.

(*2*) No claim founded on the liability of a contributory shall be cognizable by any Court of Small Causes sitting outside the Presidency-towns.

Contributories in case of death of member.

160. (*1*) If a contributory dies either before or after he has been placed on the list of contributories, his legal representatives and his heirs shall be liable in a due course of administration to contribute to the assets of the company in discharge of his liability and shall be contributories accordingly.

(*2*) If the legal representatives or heirs make default in paying any money ordered to be paid by them, proceedings may be taken for administering the property of the deceased contributory, whether moveable or immoveable, or both, and of compelling payment thereout of the money due.

Contributories in case of insolvency of member.

161. If a contributory is adjudged insolvent either before or after he has been placed on the list of contributories, then—

(*1*) his assignees shall represent him for all the purposes of the winding up, and shall be contributories accordingly, and may be called on to admit to proof against the estate of the insolvent, or otherwise to allow to be paid out of his assets in due course of law, any money due from the insolvent in respect of his liability to contribute to the assets of the company; and

(*2*) there may be proved against the estate of the insolvent the estimated value of his liability to future calls as well as calls already made.

Winding up by Court.

Circumstances in which company may be wound up by Court.

162. A company may be wound up by the Court—

(i) if the company has by special resolution resolved that the company be wound up by the Court:

(ii) if default is made in filing the statutory report or in holding the statutory meeting:

(iii) if the company does not commence its business within a year from its incorporation, or suspends its business for a whole year:

(iv) if the number of members is reduced, in the case of a private company, below two or, in the case of any other company, below seven:

(v) if the company is unable to pay its debts:

(vi) if the Court is of opinion that it is just and equitable that the company should be wound up.

Company when deemed unable to pay its debts.

163. A company shall be deemed to be unable to pay its debts—

(i) if a creditor, by assignment or otherwise, to whom the company is indebted in a sum exceeding five hundred rupees then due, has served on the company, by leaving the same at its registered office, a demand under his hand requiring the company to pay the sum so due and the company has for three weeks thereafter neglected to pay the sum, or to secure or compound for it to the reasonable satisfaction of the creditor; or

(ii) if execution or other process issued on a decree or order of any Court in favour of a creditor of the company is returned unsatisfied in whole or in part; or

(iii) if it is proved to the satisfaction of the Court that the company is unable to pay its debts, and, in determining whether a company is unable to pay its debts, the Court shall take into account the contingent and prospective liabilities of the company.

Winding up may be referred to District Court.

164. Where the High Court makes an order for winding up a company under this Act, it may, if it thinks fit, direct all subsequent proceedings to be had in a District Court; and thereupon such District Court shall, for the purpose of winding up the company, be deemed to be "the Court" within the meaning of this Act, and shall have, for the purposes of such winding up, all the jurisdiction and powers of the High Court.

Transfer of winding up from one District Court to another.

165. If during the progress of a winding up in a District Court it is made to appear to the High Court that the same could be more conveniently prosecuted in any other District Court having jurisdiction to wind up companies, the High Court may transfer the same to such other Court, and thereupon the winding up shall proceed in such other District Court.

Provisions as to applications for winding up.

166. An application to the Court for the winding up of a company shall be by petition presented, subject to the provisions of this section, either by the company, or by any creditor or creditors (including any contingent or prospective creditor or creditors), con-

The Indian Companies Act, 1913.

(Part V.—Winding up.—Sections 167-175.)

tributory or contributories, or by all or any of those parties, together or separately :

Provided that—

(*a*) a contributory shall not be entitled to present a petition for winding up a company unless—

(i) either the number of members is reduced, in the case of a private company, below two, or, in the case of any other company, below seven ; or

(ii) the shares in respect of which he is a contributory or some of them either were originally allotted to him or have been held by him, and registered in his name, for at least six months during the eighteen months before the commencement of the winding up, or have devolved on him through the death of a former holder ;

(*b*) a petition for winding up a company on the ground of default in filing the statutory report or in holding the statutory meeting shall not be presented by any person except a shareholder, nor before the expiration of fourteen days after the last day on which the meeting ought to have been held ;

(*c*) the Court shall not give a hearing to a petition for winding up a company by a contingent or prospective creditor until such security for costs has been given as the Court thinks reasonable and until a *primâ facie* case for winding up has been established to the satisfaction of the Court.

Effect of winding up order.

167. An order for winding up a company shall operate in favour of all the creditors and of all the contributories of the company as if made on the joint petition of a creditor and of a contributory.

Commencement of winding up by Court.

168. A winding up of a company by the Court shall be deemed to commence at the time of the presentation of the petition for the winding up.

Court may grant injunction.

169. The Court may, at any time after the presentation of the petition for winding up a company under this Act, and before making an order for winding up the company, upon the application of the company or of any creditor or contributory of the company, restrain further proceedings in any suit or proceeding against the company, upon such terms as the Court thinks fit.

Powers of Court on hearing petition.

170. (*1*) On hearing the petition the Court may dismiss it with or without costs, or adjourn the hearing conditionally or unconditionally, or make any interim order or any other order that it deems just, but the Court shall not refuse to make a winding up order on the ground only that the assets of the company have been mortgaged to an amount equal to or in excess of those assets, or that the company has no assets.

(*2*) Where the petition is presented on the ground of default in filing the statutory report or in holding the statutory meeting, the Court may order the costs to be paid by any persons who, in the opinion of the Court, are responsible for the default.

Suits stayed on winding up order.

171. When a winding up order has been made, no suit or other legal proceeding shall be proceeded with or commenced against the company except by leave of the Court, and subject to such terms as the Court may impose.

Copy of winding up order to be filed with registrar.

172. (*1*) On the making of a winding up order, it shall be the duty of the company forthwith to file with the registrar a copy of the order, and the petitioner in the winding up proceedings may so file a copy.

(*2*) On the filing of a copy of a winding up order, the registrar shall make a minute thereof in his books relating to the company, and shall notify in the local official Gazette that such an order has been made.

(*3*) Such order shall be deemed to be notice of discharge to the servants of the company, except when the business of the company is continued.

Power of Court to stay winding up.

173. The Court may at any time after an order for winding up, on the application of any creditor or contributory, and on proof to the satisfaction of the Court that all proceedings in relation to the winding up ought to be stayed, make an order staying the proceedings either altogether or for a limited time, on such terms and conditions as the Court thinks fit.

Court may have regard to wishes of creditors or contributories.

174. The Court may, as to all matters relating to a winding up, have regard to the wishes of the creditors or contributories as proved to it by any sufficient evidence.

Official Liquidators.

Appointment of official liquidator.

175. (*1*) For the purpose of conducting the proceedings in winding up a company and performing such duties in reference thereto as the Court may impose, the Court may appoint a person or persons, to be called an official liquidator or official liquidators.

(*2*) The Court may make such an appointment provisionally at any time after the presentation of a petition and before the making of an order for winding up.

(*3*) If more persons than one are appointed to the office of official liquidator, the Court shall declare whether any act by this Act required or authorised to be done by the official liquidator is to be done by all or any one or more of such persons.

(*4*) The Court may determine whether any and what, security is to be given by any official liquidator on his appointment.

(*5*) The acts of an official liquidator shall be valid notwithstanding any defect that may afterwards be discovered in his appointment : Provided that nothing in this sub-section shall be deemed to give validity to acts done by an official liquidator after his appointment has been shown to be invalid.

The Indian Companies Act, 1913.

(Part V.—Winding up.—Sections 176-183.)

(6) A receiver shall not be appointed of assets in the hands of an official liquidator.

Resignations, removals, filling up vacancies and compensation.

176. (1) Any official liquidator may resign or be removed by the Court on due cause shown.

(2) Any vacancy in the office of an official liquidator appointed by the Court shall be filled up by the Court.

(3) There shall be paid to the official liquidator such salary or remuneration, by way of percentage or otherwise, as the Court may direct; and, if more liquidators than one are appointed, such remuneration shall be distributed amongst them in such proportions as the Court directs.

Official liquidator.

177. The official liquidator shall be described by the style of the official liquidator of the particular company in respect of which he is appointed, and not by his individual name.

Custody of company's property.

178. (1) The official liquidator shall take into his custody, or under his control, all the property, effects and actionable claims to which the company is or appears to be entitled.

(2) If no official liquidator is appointed, or during any vacancy in such appointment, all the property of the company shall be deemed to be in the custody of the Court.

Powers of official liquidator.

179. The official liquidator shall have power, with the sanction of the Court, to do the following things:—

(a) to institute or defend any suit or prosecution, or other legal proceeding, civil or criminal, in the name and on behalf of the company;

(b) to carry on the business of the company so far as may be necessary for the beneficial winding up of the same;

(c) to sell the immoveable and moveable property of the company by public auction or private contract, with power to transfer the whole thereof to any person or company, or to sell the same in parcels;

(d) to do all acts and to execute, in the name and on behalf of the company, all deeds, receipts, and other documents, and for that purpose to use, when necessary, the company's seal;

(e) to prove, rank and claim in the insolvency of any contributory, for any balance against his estate, and to receive dividends in the insolvency, in respect of that balance, as a separate debt due from the insolvent, and rateably with the other separate creditors;

(f) to draw, accept, make and indorse any bill of exchange, hundi or promissory note in the name and on behalf of the company, with the same effect with respect to the liability of the company as if the bill, hundi or note had been drawn, accepted, made or indorsed by or on behalf of the company in the course of its business;

(g) to raise on the security of the assets of the company any money requisite;

(h) to take out, in his official name, letters of administration to any deceased contributory, and to do in his official name any other act necessary for obtaining payment of any money due from a contributory or his estate which cannot be conveniently done in the name of the company; and in all such cases the money due shall, for the purpose of enabling the liquidator to take out the letters of administration or recover the money, be deemed to be due to the liquidator himself: Provided that nothing herein empowered shall be deemed to affect the rights, duties and privileges of any Administrator General;

(i) to do all such other things as may be necessary for winding up the affairs of the company and distributing its assets.

Discretion of official liquidator.

180. The Court may provide by any order that the official liquidator may exercise any of the above powers without the sanction or intervention of the Court, and, where an official liquidator is provisionally appointed, may limit and restrict his powers by the order appointing him.

Provision for legal assistance to official liquidator.

181. The official liquidator may, with the sanction of the Court, appoint an advocate, attorney or pleader entitled to appear before the Court to assist him in the performance of his duties: Provided that, where the official liquidator is an attorney, he shall not appoint his partner, unless the latter consents to act without remuneration.

Official books to be kept by liquidator in winding up.

182. The official liquidator of a company which is being wound up by the Court shall keep, in manner prescribed, proper books in which he shall cause to be made entries or minutes of proceedings at meetings, and of such other matters as may be prescribed, and any creditor or contributory may, subject to the control of the Court, personally or by his agent inspect any such books.

Exercise and control of liquidator's powers.

183. (1) Subject to the provisions of this Act the official liquidator of a company which is being wound up by the Court shall, in the administration of the assets of the company and in the distribution thereof among its creditors, have regard to any directions that may be given by resolution of the creditors or contributories at any general meeting.

(2) The official liquidator may summon general meetings of the creditors or contributories for the purpose of ascertaining their wishes, and it shall be his duty to summon meetings at such times as the creditors or contributories, by resolution, may direct, or whenever requested in writing to do so by one-tenth in value of the creditors or contributories, as the case may be.

(3) The official liquidator may apply to the Court in manner prescribed for directions in relation to any particular matter arising in the winding up.

(4) Subject to the provisions of this Act, the official liquidator shall use his own discretion in

The Indian Companies Act, 1913.

(Part V.—Winding up —Sections 184-194.)

the administration of the assets of the company and in the distribution thereof among the creditors.

(5) If any person is aggrieved by any act or decision of the official liquidator, that person may apply to the Court, and the Court may confirm, reverse or modify the act or decision complained of, and make such order as it thinks just in the circumstances.

Ordinary powers of Court.

Settlement of list of contributories and application of assets.

184. (1) As soon as may be after making a winding up order, the Court shall settle a list of contributories, with power to rectify the register of members in all cases where rectification is required in pursuance of this Act, and shall cause the assets of the company to be collected and applied in discharge of its liabilities.

(2) In settling the list of contributories, the Court shall distinguish between persons who are contributories in their own right and persons who are contributories as being representatives of or liable for the debts of others.

Power to require delivery of property.

185. The Court may, at any time after making a winding up order, require any contributory for the time being settled on the list contributories and any trustee, receiver, banker, agent, or officer of the company to pay, deliver, surrender or transfer forthwith, or within such time as the Court directs, to the official liquidator any money, property or documents in his hands to which the company is *primâ facie* entitled.

Power to order payment of debts by contributory.

186. (1) The Court may, at any time after making a winding up order, make an order on any contributory for the time being settled on the list of contributories to pay, in manner directed by the order, any money due from him or from the estate of the person whom he represents to the company exclusive of any money payable by him or the estate by virtue of any call in pursuance of this Act.

(2) The Court in making such an order may, in the case of an unlimited company, allow to the contributory by way of set-off any money due to him or to the estate which he represents from the company on any independent dealing or contract with the company, but not any money due to him as a member of the company in respect of any dividend or profit; and may, in the case of a limited company, make to any director whose liability is unlimited or to his estate the like allowance:

Provided that in the case of any company, whether limited or unlimited, when all the creditors are paid in full, any money due on any account whatever to a contributory from the company may be allowed to him by way of set-off against any subsequent call.

Power of Court to make calls.

187. (1) The Court may, at any time after making a winding up order, and either before or after it has ascertained the sufficiency of the assets of the company, make calls on and order payment thereof by all or any of the contributories for the time being settled on the list of the contributories to the extent of their liability, for payment of any money which the Court considers necessary to satisfy the debts and liabilities of the company, and the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributories among themselves.

(2) In making the call the Court may take into consideration the probability that some of the contributories may partly or wholly fail to pay the call.

Power to order payment into bank.

188. The Court may order any contributory, purchaser or other person from whom money is due to the company to pay the same into the Bank of Bengal, the Bank of Madras, or the Bank of Bombay, as the case may be, or any branch thereof, respectively, to the account of the official liquidator instead of to the official liquidator, and any such order may be enforced in the same manner as if it had directed payment to the official liquidator.

Regulation of account with Court.

189. All moneys, bills, hundis, notes and other securities paid and delivered into the Bank of Bengal, the Bank of Madras or the Bank of Bombay, or any branch thereof, respectively, in the event of a company being wound up by the Court, shall be subject in all respects to the orders of the Court.

Order on contributory conclusive evidence.

190. (1) An order made by the Court on a contributory shall (subject to any right of appeal) be conclusive evidence that the money, if any, thereby appearing to be due or ordered to be paid is due.

(2) All other pertinent matters stated in the order shall be taken to be truly stated as against all persons, and in all proceedings whatsoever.

Power to exclude creditors not proving in time.

191. The Court may fix a time or times within which creditors are to prove their debts or claims, or to be excluded from the benefit of any distribution made before those debts are proved.

Adjustment of rights of contributories.

192. The Court shall adjust the rights of the contributories among themselves, and distribute any surplus among the persons entitled thereto.

Power to order costs.

193. The Court may, in the event of the assets being insufficient to satisfy the liabilities, make an order as to the payment out of the assets of the costs, charges and expenses incurred in the winding up in such order of priority as the Court thinks just.

Dissolution of company.

194. (1) When the affairs of a company have been completely wound up, the Court shall make an order that the company be dissolved from the date of the order, and the company shall be dissolved accordingly.

(2) The order shall be reported within fifteen days of the making thereof by the official liquidator to the registrar, who shall make in his books a minute of the dissolution of the company.

(3) If the official liquidator makes default in complying with the requirements of this section, he shall be liable to a fine not exceeding fifty rupees for every day during which he is in default.

The Indian Companies Act, 1913.

(*Part V.—Winding up.—Sections 195-201.*)

Extraordinary Powers of Court.

Power to summon persons suspected of having property of company.

195. (*1*) The Court may, after it has made a winding up order, summon before it any officer of the company or person known or suspected to have in his possession any property of the company, or supposed to be indebted to the company, or any person whom the Court deems capable of giving information concerning the trade, dealings, affairs or property of the company.

(*2*) The Court may examine him on oath concerning the same, either by word of mouth or on written interrogatories, and may reduce his answers to writing and require him to sign them.

(*3*) The Court may require him to produce any documents in his custody or power relating to the company; but, where he claims any lien on documents produced by him, the production shall be without prejudice to that lien, and the Court shall have jurisdiction in the winding up to determine all questions relating to that lien.

(*4*) If any person so summoned, after being tendered a reasonable sum for his expenses, refuses to come before the Court at the time appointed, not having a lawful impediment (made known to the Court at the time of its sitting, and allowed by it), the Court may cause him to be apprehended and brought before the Court for examination.

Power to order public examination of promoters, directors, etc.

196. (*1*) When an order has been made for winding up a company by the Court, and the official liquidator has applied to the Court stating that in his opinion a fraud has been committed by any person in the promotion or formation of the company or by any director or other officer of the company in relation to the company since its formation, the Court may, after consideration of the application, direct that any person who has taken any part in the promotion or formation of the company, or has been a director, manager or other officer of the company, shall attend before the Court on a day appointed by the Court for that purpose, and be publicly examined as to the promotion or formation or the conduct of the business of the company, or as to his conduct and dealings as director, manager or other officer thereof.

(*2*) The official liquidator shall take part in the examination, and for that purpose may, if specially authorised by the Court in that behalf, employ such legal assistance as may be sanctioned by the Court.

(*3*) Any creditor or contributory may also take part in the examination either personally or by any person entitled to appear before the Court.

(*4*) The Court may put such questions to the person examined as the Court thinks fit.

(*5*) The person examined shall be examined on oath, and shall answer all such questions as the Court may put or allow to be put to him.

(*6*) A person ordered to be examined under this section may at his own cost employ any person entitled to appear before the Court, who shall be at liberty to put to him such questions as the Court may deem just for the purpose of enabling him to explain or qualify any answers given by him: Provided that if he is, in the opinion of the Court, exculpated from any charges made or suggested against him, the Court may allow him such costs as in its discretion it may think fit.

(*7*) Notes of the examination shall be taken down in writing, and shall be read over to or by, and signed by, the person examined, and may thereafter be used in evidence against him in civil proceedings, and shall be open to the inspection of any creditor or contributory at all reasonable times.

(*8*) The Court may, if it thinks fit, adjourn the examination from time to time.

(*9*) An examination under this section may, if the Court so directs, and subject to any rules in this behalf, be held before any District Judge or before any officer of the High Court, being an official referee, master, registrar or deputy registrar, and the powers of the Court under this section as to the conduct of the examination, but not as to costs, may be exercised by the person before whom the examination is held.

Power to arrest absconding contributory.

197. The Court, at any time either before or after making a winding up order on proof of probable cause for believing that a contributory is about to quit British India or otherwise to abscond, or to remove or conceal any of his property, for the purpose of evading payment of calls or of avoiding examination respecting the affairs of the company, may cause the contributory to be arrested and his books and papers and moveable property to be seized, and him and them to be safely kept until such time as the Court may order.

Saving of other proceedings.

198. Any powers by this Act conferred on the Court shall be in addition to, and not in restriction of, any existing powers of instituting proceedings against any contributory or debtor of the company, or the estate of any contributory or debtor, for the recovery of any call or other sums.

Enforcement of and Appeal from Orders.

Power to enforce orders.

199. All orders made by a Court under this Act may be enforced in the same manner in which decrees of such Court made in any suit pending therein may be enforced.

Order made in any Court to be enforced by other Courts.

200. Any order made by a Court for or in the course of the winding up of a company shall be enforced in any place in British India other than that in which such Court is situate, by the Court that would have had jurisdiction in respect of such company if the registered office of the company had been situate at such other place, and in the same manner in all respects as if such order had been made by the Court that is hereby required to enforce the same.

Mode of dealing with orders to be enforced by other Courts.

201. Where any order made by one Court is to be enforced by another Court, a certified copy of the order so made shall be produced to the proper officer of the Court required to enforce the same, and the production of such certified copy shall be sufficient evidence of such order having been made; and thereupon the last-mentioned Court shall take the requisite steps in the matter for enforcing the

The Indian Companies Act, 1913.

(Part V.—Winding up.—Sections 202-209.)

order, in the same manner as if it were the order of the Court enforcing the same.

202. Re-hearings of, and appeals from, any order or decision made or given in the matter of the winding up of a company by the Court may be had in the same manner and subject to the same conditions in and subject to which appeals may be had from any order or decision of the same Court in cases within its ordinary jurisdiction.

Appeals from orders.

Voluntary winding up.

Circumstances in which company may be wound up voluntarily.

203. A company may be wound up voluntarily—

(1) when the period (if any) fixed for the duration of the company by the articles expires, or the event (if any) occurs, on the occurrence of which the articles provide that the company is to be dissolved and the company in general meeting has passed a resolution requiring the company to be wound up voluntarily;

(2) if the company resolves by special resolution that the company be wound up voluntarily;

(3) if the company resolves by extraordinary resolution to the effect that it cannot by reason of its liabilities continue its business, and that it is advisable to wind up.

204. A voluntary winding up shall be deemed to commence at the time of the passing of the resolution authorising the winding up.

Commencement of voluntary winding up.

205. When a company is wound up voluntarily, the company shall, from the commencement of the winding up, cease to carry on its business, except so far as may be required for the beneficial winding up thereof:

Effect of voluntary winding up on status of company.

Provided that the corporate state and corporate powers of the company shall, notwithstanding anything to the contrary in its articles, continue until it is dissolved.

206. (*1*) Notice of any special resolution or extraordinary resolution for winding up a company voluntarily shall be given by the company within ten days of the passing of the same by advertisement in the local official Gazette, and also in some newspaper (if any) circulating in the district where the registered office of the company is situate.

Notice of resolution to wind up voluntarily.

(*2*) If a company makes default in complying with the requirements of this section, it shall be liable to a fine not exceeding fifty rupees for every day during which the default continues; and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to a like penalty.

207. The following consequences shall ensue on the voluntary winding up of a company:—

Consequences of voluntary winding up.

(i) the assets of the company shall be applied in satisfaction of its liabilities *pari passu* and, subject thereto, shall, unless the articles otherwise provide, be distributed among the members according to their rights and interests in the company;

(ii) the company in general meeting shall appoint one or more liquidators for the purpose of winding up the affairs and distributing the assets of the company, and may fix the remuneration to be paid to him or them;

(iii) on the appointment of a liquidator all the powers of the directors shall cease, except so far as the company in general meeting, or the liquidator, sanctions the continuance thereof;

(iv) the liquidator may, without the sanction of the Court, exercise all powers by this Act given to the official liquidator in a winding up by the Court;

(v) the liquidator may exercise the powers of the Court under this Act of settling a list of contributories, and of making calls, and shall pay the debts of the company, and adjust the rights of the contributories among themselves;

(vi) the list of contributories shall be *prima facie* evidence of the liability of the persons named therein to be contributories;

(vii) when several liquidators are appointed, every power hereby given may be exercised by such one or more of them as may be determined by the company at the time of their appointment, or in default of such determination by any number not less than two;

(viii) if from any cause whatever there is no liquidator acting, the Court may, on the application of a contributory, appoint a liquidator; and

(ix) the Court may, on cause shown, remove a liquidator, and appoint another liquidator.

208. (*1*) The liquidator in a voluntary winding up shall, within twenty-one days after his appointment, file with the registrar a notice of his appointment in the form prescribed.

Notice by liquidator of his appointment.

(*2*) If the liquidator fails to comply with the requirements of this section, he shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

209. (*1*) Every liquidator appointed by a company in a voluntary winding up shall, within seven days from his appointment, send notice by post to all persons who appear to him to be creditors of the company that a meeting of the creditors of the company will be held on a date, not being less than twenty-one days nor more than one month after his appointment and at a place and hour, to be specified in the notice, and shall also advertise notice of the meeting once in the local official Gazette and once at least in some newspaper (if any) circulating in the district where the registered office or principal place of business of the company was situate.

Rights of creditors in a voluntary winding up.

(*2*) At the meeting to be held in pursuance of the foregoing provisions of this section the credi-

The Indian Companies Act, 1913.

(*Part V.—Winding up.—Sections 210-214.*)

tors shall determine whether an application shall be made to the Court for the appointment of any person as liquidator in the place of, or jointly with, the liquidator appointed by the company, and, if the creditors so resolve, an application may be made accordingly to the Court at any time not later than fourteen days after the date of the meeting, by any creditor appointed for the purpose at the meeting:

Provided that the Court may, by order at any time, extend the time for making an application under this sub-section for such period as the Court thinks proper.

(*3*) On any such application the Court may make an order either for the removal of the liquidator appointed by the company and for the appointment of some other person as liquidator or for the appointment of some other person to act as liquidator jointly with the liquidator appointed by the company, or such other order as, having regard to the interests of the creditors and contributories of the company, may seem just.

(*4*) The Court shall make such order as to the costs of the application as it may think fit, and, if it is of opinion that, having regard to the interests of the creditors in the liquidation, there were reasonable grounds for the application, may order the costs of the application to be paid out of the assets of the company, notwithstanding that the application is dismissed or otherwise disposed of adversely to the applicant.

Power to fill vacancy in office of liquidator.

210. (*1*) If a vacancy occurs by death, resignation or otherwise in the office of liquidator appointed by the company in a voluntary winding up, the company in general meeting may, subject to any arrangement with its creditors, fill the vacancy.

(*2*) For that purpose a general meeting may be called by any contributory or, if there were more liquidators than one, by the continuing liquidators.

(*3*) The meeting shall be held in manner prescribed by the articles, or in such manner as may, on application by any contributory or by the continuing liquidators, be determined by the Court.

Delegation of authority to appoint liquidators.

211. (*1*) A company about to be, or in course of being, wound up voluntarily may, by extraordinary resolution, delegate to its creditors, or to any committee of them, the power of appointing liquidators or any of them, and of supplying vacancies among the liquidators, or enter into any arrangement with respect to the powers to be exercised by the liquidators, and the manner in which they are to be exercised.

(*2*) Any act done by creditors in pursuance of any such delegated power shall have the same effect as if it had been done by the company.

Arrangement when binding on creditors.

212. (*1*) Any arrangement entered into between a company about to be, or in the course of being, wound up voluntarily and its creditors shall, subject to any right of appeal under this section, be binding on the company if sanctioned by an extraordinary resolution, and on the creditors if acceded to by three-fourths in number and value of the creditors.

(*2*) Any creditor or contributory may, within three weeks from the completion of the arrangement, appeal to the Court against it, and the Court may thereupon, as it thinks just, amend, vary or confirm the arrangement.

Power for liquidators to accept shares, etc., as a consideration for sale of property of company.

213. (*1*) Where a company is proposed to be, or is in course of being, wound up altogether voluntarily, and the whole or part of its business or property is proposed to be transferred or sold to another company (in this section called the transferee company) the liquidator of the first-mentioned company (in this section called the transferor company) may, with the sanction of a special resolution of that company conferring either a general authority on the liquidator or an authority in respect of any particular arrangement, receive, in compensation or part compensation for the transfer or sale, shares, policies or other like interests in the transferee company, for distribution among the members of the transferor company, or may enter into any other arrangement whereby the members of the transferor company may, in lieu of receiving cash, shares, policies or other like interests, or in addition thereto, participate in the profits of, or receive any other benefit from, the transferee company.

(*2*) Any sale or arrangement in pursuance of this section shall be binding on the members of the transferor company.

(*3*) If any member of the transferor company who did not vote in favour of the special resolution at either of the meetings held for passing and confirming the same expresses his dissent therefrom in writing addressed to the liquidator, and left at the registered office of the company within seven days after the confirmation of the special resolution, he may require the liquidator either to abstain from carrying the resolution into effect, or to purchase his interest at a price to be determined by agreement or by arbitration in manner hereinafter provided.

(*4*) If the liquidator elects to purchase the member's interest, the purchase-money must be paid before the company is dissolved, and be raised by the liquidator in such manner as may be determined by special resolution.

(*5*) A special resolution shall not be invalid for the purposes of this section by reason that it is passed before or concurrently with a resolution for winding up the company, or for appointing liquidators; but if an order is made within a year for winding up the company by or subject to the supervision of the Court, the special resolution shall not be valid unless sanctioned by the Court.

Mode of determining price.

214. (*1*) The price to be paid for the purchase of the interest of any dissentient member may be determined by agreement. If the parties dispute about the same, such dispute shall be settled by arbitration.

(*2*) The provisions of the Indian Arbitration Act, 1899, other than those restricting the application of the Act in respect of the subject-matter of the arbitration, shall apply to all arbitrations in pursuance of this section. IX of 1899.

The Indians Companies Act, 1913.

(Part V.—Winding up.—Sections 215-224.)

Power to apply to Court.

215. (*1*) Where a company is being wound up voluntarily, the liquidator or any contributory or creditor may apply to the Court to determine any question arising in the winding up, or to exercise as respects the enforcing of calls, or any other matters, all or any of the powers which the Court might exercise if the company were being wound up by the Court.

(*2*) The Court, if satisfied that the determination of the question or the required exercise of power will be just and beneficial, may accede wholly or partially to the application on such terms and conditions as the Court thinks fit, or may make such other order on the application as the Court thinks just.

Power of liquidator to call general meeting.

216. (*1*) Where a company is being wound up voluntarily, the liquidator may, from time to time, summon general meetings of the company for the purpose of obtaining the sanction of the company by special or extraordinary resolution, or for any other purposes he may think fit.

(*2*) In the event of the winding up continuing for more than one year, the liquidator shall summon a general meeting of the company at the end of the first year from the commencement of the winding up, and of each succeeding year, or as soon thereafter as may be convenient, and shall lay before the meeting a statement in the prescribed form containing the prescribed particulars with respect to the proceedings in and the position of the liquidation.

Final meeting and dissolution.

217. (*1*) In the case of every voluntary winding up, as soon as the affairs of the company are fully wound up, the liquidator shall make up an account of the winding up, showing how the winding up has been conducted and the property of the company has been disposed of; and thereupon shall call a general meeting of the company for the purpose of laying before it the account, and giving any explanation thereof.

(*2*) The meeting shall be called by advertisement, specifying the time, place and object thereof, and published one month at least before the meeting in the manner specified in section 206.

(*3*) Within one week after the meeting, the liquidator shall file with the registrar a return of the holding of the meeting, and of its date, and in default of so doing, shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

(*4*) The registrar on the filing of the return shall forthwith register it, and, on the expiration of three months from the registration of the return, the company shall be deemed to be dissolved:

Provided that the Court may, on the application of the liquidator or of any other person who appears to the Court to be interested, make an order deferring the date at which the dissolution of the company is to take effect for such time as the Court thinks fit.

(*5*) It shall be the duty of the person on whose application an order of the Court under sub-section (*4*) is made, within twenty-one days after the making of the order, to file with the registrar a certified copy of the order, and if that person fails so to do, he shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Cost of voluntary liquidation.

218. All costs, charges and expenses properly incurred in the voluntary winding up of a company including the remuneration of the liquidator, shall be payable out of the assets of the company in priority to all other claims at the date of the winding up.

Saving for rights of creditors and contributories.

219. The voluntary winding up of company shall not bar the right of any creditor or contributory to have it wound up by the Court, if the Court is of opinion, in the case of an application by a creditor, that the rights of the creditor or, in the case of an application by a contributory, that the rights of the contributories will be prejudiced by a voluntary winding up.

Power of Court to adopt proceedings of voluntary winding up.

220. Where a company is being wound up voluntarily, and an order is made for winding up by the Court, the Court may, if it thinks fit, by the same or any subsequent order, provide for the adoption of all or any of the proceedings in the voluntary winding up.

Winding up subject to supervision of Court.

Power to order winding up subject to supervision.

221. When a company has by special or extraordinary resolution resolved to wind up voluntarily, the Court may make an order that the voluntary winding up shall continue, but subject to such supervision of the Court, and with such liberty for creditors, contributories or others to apply to the Court, and generally on such terms and conditions as the Court thinks just.

Effect of petition for winding up subject to supervision.

222. A petition for the continuance of a voluntary winding up subject to the supervision of the Court shall, for the purpose of giving jurisdiction to the Court over suits, be deemed to be a petition for winding up by the Court.

Court may have regard to wishes of creditors and contributories.

223. The Court may, in deciding between a winding up by the Court and a winding up subject to supervision, in the appointment of liquidators, and in all other matters relating to the winding up subject to supervision, have regard to the wishes of the creditors or contributories as proved to it by any sufficient evidence.

Power for Court to appoint or remove liquidators.

224. (*1*) Where an order is made for a winding up subject to supervision, the Court may by the same or any subsequent order appoint any additional liquidator.

(*2*) A liquidator appointed by the Court under this section shall have the same powers, be subject to the same obligations, and in all respects stand in the same position as if he had been appointed by the company.

(*3*) The Court may remove any liquidator so appointed by the Court or any liquidator continued under the supervision order, and fill any vacancy occasioned by the removal, or by death or resignation.

The Indian Companies Act, 1913.

(*Part V.—Winding up.—Sections 225-230.*)

Effect of supervision order.

225. (*1*) Where an order is made for a winding up subject to supervision, the liquidator may, subject to any restrictions imposed by the Court, exercise all his powers, without the sanction or intervention of the Court, in the same manner as if the company were being wound up altogether voluntarily.

(*2*) Except as provided in sub-section (*1*), and save for the purposes of section 196, any order made by the Court for a winding up subject to the supervision of the Court shall for all purposes, including the staying of suits and other proceedings, be deemed to be an order of the Court for winding up the company by the Court, and shall confer full authority on the Court to make calls, or to enforce calls made by the liquidators, and to exercise all other powers which it might have exercised if an order had been made for winding up the company altogether by the Court.

(*3*) In the construction of the provisions whereby the Court is empowered to direct any act or thing to be done to or in favour of the official liquidator, the expression "official liquidator" shall be deemed to mean the liquidator conducting the winding up subject to the supervision of the Court.

Appointment in certain cases of voluntary liquidators to office of official liquidators.

226. Where an order has been made for the winding up of a company subject to supervision, and an order is afterwards made for winding up by the Court, the Court may, by the last-mentioned order or by any subsequent order, appoint the voluntary liquidators or any of them, either provisionally or permanently, and either with or without the addition of any other person, to be official liquidator in the winding up by the Court.

Supplemental Provisions.

Avoidance of transfers, etc., after commencement of winding up.

227. (*1*) In the case of voluntary winding up every transfer of shares, except transfers made to or with the sanction of the liquidator, and every alteration in the status of the members of the company made after the commencement of the winding up shall be void.

(*2*) In the case of a winding up by or subject to the supervision of the Court, every disposition of the property (including actionable claims) of the company, and every transfer of shares, or alteration in the status of its members, made after the commencement of the winding up shall, unless the Court otherwise orders, be void.

Debts of all descriptions to be proved.

228. In every winding up (subject in the case of insolvent companies to the application in accordance with the provisions of this Act of the law of insolvency) all debts payable on a contingency, and all claims against the company, present or future, certain or contingent, shall be admissible to proof against the company, a just estimate being made, so far as possible, of the value of such debts or claims as may be subject to any contingency or for some other reason do not bear a certain value.

Application of insolvency rules in winding up of insolvent companies.

229. In the winding up of an insolvent company the same rules shall prevail and be observed with regard to the respective rights of secured and unsecured creditors and to debts provable and to the valuation of annuities and future and contingent liabilities as are in force for the time being under the law of insolvency with respect to the estates of persons adjudged insolvent; and all persons who in any such case would be entitled to prove for and receive dividends out of the assets of the company may come in under the winding up, and make such claims against the company as they respectively are entitled to by virtue of this section.

Preferential payments.

230. (*1*) In a winding up there shall be paid in priority to all other debts—

(*a*) all revenue, taxes, cesses and rates, whether payable to the Crown or to a local authority, due from the company at the date hereinafter mentioned and having become due and payable within the twelve months next before that date;

(*b*) all wages or salary of any clerk or servant in respect of service rendered to the company within the two months next before the said date, not exceeding one thousand rupees for each clerk or servant; and

(*c*) all wages of any labourer or workman, not exceeding five hundred rupees for each, whether payable for time or piece-work, in respect of services rendered to the company within the two months next before the said date.

(*2*) The foregoing debts shall—

(*a*) rank equally among themselves and be paid in full, unless the assets are insufficient to meet them, in which case they shall abate in equal proportion; and

(*b*) so far as the assets of the company available for payment of general creditors are insufficient to meet them, have priority over the claims of holders of debentures under any floating charge created by the company, and be paid accordingly out of any property comprised in or subject to that charge.

(*3*) Subject to the retention of such sums as may be necessary for the costs and expenses of the winding up, the foregoing debts shall be discharged forthwith so far as the assets are sufficient to meet them.

(*4*) In the event of a landlord or other person distraining or having distrained on any goods or effects of the company within three months next before the date of a winding up order, the debts to which priority is given by this section shall be a first charge on the goods or effects so distrained on, or the proceeds of the sale thereof:

Provided that in respect of any money paid under any such charge the landlord or other person shall have the same rights of priority as the person to whom the payment is made.

(*5*) The date hereinbefore in this section referred to is—

(*a*) in the case of a company ordered to be wound up compulsorily which had not previously commenced to be wound up voluntarily, the date of the winding up order; and

The Indian Companies Act, 1913.

(Part V.—Winding up.—Sections 231-237.)

(*b*) in any other case, the date of the commencement of the winding up.

Fraudulent preference.

231. (*1*) Any transfer, delivery of goods, payment, execution or other act relating to property which would, if made or done by or against an individual, be deemed in his insolvency a fraudulent preference, shall, if made or done by or against a company, be deemed, in the event of its being wound up, a fraudulent preference of its creditors, and be invalid accordingly.

(*2*) For the purposes of this section the presentation of a petition for winding up in the case of a winding up by or subject to the supervision of the Court, and a resolution for winding up in the case of a voluntary winding up, shall be deemed to correspond with the act of insolvency in the case of an individual.

(*3*) Any transfer or assignment by a company of all its property to trustees for the benefit of all its creditors shall be void.

Avoidance of certain attachments, executions, etc.

232. (*1*) Where any company is being wound up by or subject to the supervision of the Court, any attachment, distress or execution put in force without leave of the Court against the estate or effects of the company after the commencement of the winding up shall be void.

(*2*) Nothing in this section applies to proceedings by the Government.

Effect of floating charge.

233. Where a company is being wound up a floating charge on the undertaking or property of the company created within three months of the commencement of the winding up shall, unless it is proved that the company immediately after the creation of the charge was solvent, be invalid except to the amount of any cash paid to the company at the time of, or subsequently to the creation of, and in consideration for, the charge, together with interest on that amount at the rate of five per cent. per annum.

General scheme of liquidation may be sanctioned.

234. (*1*) The liquidator may, with the sanction of the Court when the company is being wound up by the Court or subject to the supervision of the Court, and with the sanction of an extraordinary resolution of the company in the case of a voluntary winding up, do the following things or any of them :—

(i) pay any classes of creditors in full ;

(ii) make any compromise or arrangement with creditors or persons claiming to be creditors or having or alleging themselves to have any claim, present or future, whereby the company may be rendered liable ;

(iii) compromise all calls and liabilities to calls, debts and liabilities capable of resulting in debts, and all claims, present or future, certain or contingent subsisting or supposed to subsist between the company and a contributory or alleged contributory or other debtor or person apprehending liability to the company, and all questions in any way relating to or affecting the assets or the winding up of the company, on such terms as may be agreed, and take any security for the discharge of any such call, debt, liability or claim, and give a complete discharge in respect thereof.

(*2*) The exercise by the liquidator of the powers of this section shall be subject to the control of the Court, and any creditor or contributory may apply to the Court with respect to any exercise or proposed exercise of any of these powers.

Power of Court to assess damages against delinquent directors, etc.

235. (*1*) Where, in the course of winding up a company, it appears that any person who has taken part in the formation or promotion of the company, or any past or present director, manager or liquidator, or any officer of the company, has misapplied or retained or become liable or accountable for any money or property of the company, or been guilty of any misfeasance or breach of trust in relation to the company, the Court may, on the application of the liquidator, or of any creditor or contributory, examine into the conduct of the promoter, director, manager, liquidator or officer, and compel him to repay or restore the money or property or any part thereof respectively with interest at such rate as the Court thinks just, or to contribute such sum to the assets of the company by way of compensation in respect of the misapplication, retainer, misfeasance or breach of trust as the Court thinks just.

(*2*) This section shall apply notwithstanding that the offence is one for which the offender may be criminally responsible.

(*3*) The Indian Limitation Act, 1908, shall apply to an application under this section as if such application were a suit. IX of 1908.

Penalty for falsification of books.

236. If any director, manager, officer or contributory of any company being wound up destroys, mutilates, alters or falsifies or fraudulently secretes any books, papers or securities, or makes, or is privy to the making of, any false or fraudulent entry in any register book of account or document belonging to the company with intent to defraud or deceive any person, he shall be liable to imprisonment for a term which may extend to seven years, and shall also be liable to fine.

Prosecution of delinquent directors, etc.

237. (*1*) If it appears to the Court in the course of a winding up by or subject to the supervision of the Court that any past or present director, manager, officer or member of the company has been guilty of any offence in relation to the company for which he is criminally responsible, the Court may, on the application of any person interested in the winding up, or of its own motion, direct the official liquidator or the liquidator (as the case may be) to prosecute for the offence, and may order the costs and expenses to be paid out of the assets of the company

(*2*) If it appears to the liquidator in the course of a voluntary winding up that any past or present director, manager, officer or member of the company has been guilty of any offence in relation to the company for which he is criminally responsible, the liquidator, with the previous sanction of the Court, may prosecute the offender, and all expenses properly incurred by him in the prosecution shall be payable out of the assets of the company in priority to all other liabilities.

The Indian Companies Act, 1913.

(Part V.—Winding up.—Sections 238-246.)

Penalty for false evidence.

238. If any person, upon any examination upon oath authorised under this Act, or in any affidavit, deposition or solemn affirmation, in or about the winding up of any company under this Act, or otherwise in or about any matter arising under this Act, intentionally gives false evidence, he shall be liable to imprisonment for a term which may extend to seven years, and shall also be liable to fine.

Meetings to ascertain wishes of creditors or contributories.

239. (*1*) Where by this Act the Court is authorised in relation to winding up to have regard to the wishes of creditors or contributories, as proved to it by any sufficient evidence, the Court may, if it thinks fit for the purpose of ascertaining those wishes, direct meetings of the creditors or contributories to be called, held and conducted in such manner as the Court directs, and may appoint a person to act as chairman of any such meeting and to report the result thereof to the Court.

(*2*) In the case of creditors, regard shall be had to the value of each creditor's debt.

(*3*) In the case of contributories, regard shall be had to the number of votes conferred on each contributory by the articles.

Documents of company to be evidence.

240. Where any company is being wound up, all documents of the company and of the liquidators shall, as between the contributories of the company, be *primâ facie* evidence of the truth of all matters purporting to be therein recorded.

Inspection of documents.

241. After an order for a winding up by or subject to the supervision of the Court, the Court may make such order for inspection by creditors and contributories of the company of its documents as the Court thinks just, and any documents in the possession of the company may be inspected by creditors or contributories accordingly, but not further or otherwise.

Disposal of documents of company.

242. (*1*) When a company has been wound up and is about to be dissolved, the documents of the company and of the liquidators may be disposed of as follows (that is to say) :—

(*a*) in the case of a winding up by or subject to the supervision of the Court, in such way as the Court directs ;

(*b*) in the case of a voluntary winding up, in such way as the company by extraordinary resolution directs.

(*2*) After three years from the dissolution of the company, no responsibility shall rest on the company or the liquidators, or any person to whom the custody of the documents has been committed, by reason of the same not being forthcoming to any person claiming to be interested therein.

Power of Court to declare dissolution of company void.

243. (*1*) Where a company has been dissolved, the Court may, at any time within two years of the date of the dissolution, on an application being made for the purpose by the liquidator of the company or by any other person who appears to the Court to be interested, make an order, upon such terms as the Court thinks fit, declaring the dissolution to have been void, and thereupon such proceedings may be taken as might have been taken if the company had not been dissolved.

(*2*) It shall be the duty of the person on whose application the order was made, within twenty-one days after the making of the order, to file with the registrar a certified copy of the order, and if that person fails so to do, he shall be liable to a fine not exceeding fifty rupees for every day during which the default continues.

Information as to pending liquidations.

244. (*1*) Where a company is being wound up, if the winding up is not concluded within one year after its commencement, the liquidator shall, at such intervals as may be prescribed, until the winding up is concluded, file with the registrar a statement in the prescribed form and containing the prescribed particulars with respect to the proceedings in and position of the liquidation.

(*2*) Any person stating himself in writing to be a creditor or contributory of the company shall be entitled, by himself or by his agent, at all reasonable times, on payment of the prescribed fee, to inspect the statement, and to receive a copy thereof or extract therefrom; but any person untruthfully so stating himself to be a creditor or contributory shall be deemed to be guilty of an offence under section 182 of the Indian Penal Code, and shall be punishable accordingly on the application of the liquidator. XLV of 18[60]

(*3*) If a liquidator fails to comply with the requirements of this section, he shall be liable to a fine not exceeding five hundred rupees for each day during which the default continues.

Court or person before whom affidavit may be sworn.

245. (*1*) Any affidavit required to be sworn under the provisions or for the purposes of this Part may be sworn in British India, or elsewhere within the dominions of His Majesty, before any Court, Judge or person lawfully authorised to take and receive affidavits, or in any part of India other than British India before any Court authorised or continued by the Governor General in Council, or in any place outside His Majesty's dominions before any of His Majesty's Consuls or Vice-Consuls.

(*2*) All Courts, Judges, Justices, Commissioners and persons acting judicially in British India shall take judicial notice of the seal or stamp or signature (as the case may be) of any such Court, Judge, person, Consul or Vice-Consul, attached, appended or subscribed to any such affidavit, or to any other document to be used for the purposes of this Part.

Rules.

Power of High Court to make rules.

246. (*1*) The High Court may, from time to time, make rules consistent with this Act and with the Code of Civil Procedure, 1908, concerning the mode of proceedings to be had for winding up a company in such Court and in the Courts subordinate thereto, and for giving effect to the provisions hereinbefore contained as to the reduction V of 1908.

The Indian Companies Act, 1913.

(Part V.—Winding up.—Section 247. Part VI.—Registration Office and Fees.—Section 248.)

of the capital and the sub-division of the shares of a company.

(2) Without prejudice to the generality of the foregoing power, the High Court may by such rules enable or require all or any of the powers and duties conferred and imposed on the Court by this Act, in respect of the matters following, to be exercised or performed by the official liquidator, and subject to the control of the Court, that is to say, the powers and duties of the Court in respect of—

(a) holding and conducting meetings to ascertain the wishes of creditors and contributories;

(b) settling lists of contributories and rectifying the register of members where required, and collecting and applying the assets;

(c) requiring delivery of property or documents to the liquidator;

(d) making calls;

(e) fixing a time within which debts and claims must be proved:

Provided that the official liquidator shall not, without the special leave of the Court, rectify the register of members, and shall not make any call without the special leave of the Court.

Removal of defunct Companies from Register.

Registrar may strike defunct company off register.

247. (1) Where the registrar has reasonable cause to believe that a company is not carrying on business or in operation, he shall send to the company by post a letter inquiring whether the company is carrying on business or in operation.

(2) If the registrar does not within one month of sending the letter receive any answer thereto, he shall within fourteen days after the expiration of the month send to the company by post a registered letter referring to the first letter, and stating that no answer thereto has been received and that, if an answer is not received to the second letter within one month from the date thereof, a notice will be published in the local official Gazette with a view to striking the name of the company off the register.

(3) If the registrar either receives an answer from the company to the effect that it is not carrying on business or in operation, or does not within one month after sending the second letter receive any answer, he may publish in the local official Gazette, and send to the company by post a notice that, at the expiration of three months from the date of that notice, the name of the company mentioned therein will, unless cause is shown to the contrary, be struck off the register and the company will be dissolved.

(4) If, in any case where a company is being wound up, the registrar has reasonable cause to believe either that no liquidator is acting or that the affairs of the company are fully wound up, and the returns required to be made by the liquidator have not been made for a period of six consecutive months after notice by the registrar demanding the returns has been sent by post to the company, or to the liquidator at his last known place of business, the registrar may publish in the local official Gazette and send to the company a like notice as is provided in the last preceding sub-section.

(5) At the expiration of the time mentioned in the notice the registrar may, unless cause to the contrary is previously shown by the company, strike its name off the register, and shall publish notice thereof in the local official Gazette, and, on the publication in the local official Gazette of this notice, the company shall be dissolved: Provided that the liability (if any) of every director and member of the company shall continue and may be enforced as if the company had not been dissolved.

(6) If a company or any member or creditor thereof feels aggrieved by the company having been struck off the register, the Court, on the application of the company or member or creditor, may, if satisfied that the company was at the time of the striking off carrying on business or in operation, or otherwise that it is just that the company be restored to the register, order the name of the company to be restored to the register, and thereupon the company shall be deemed to have continued in existence as if its name had not been struck off; and the Court may by the order give such directions and make such provisions as seem just for placing the company and all other persons in the same position as nearly as may be as if the name of the company had not been struck off.

(7) A letter or notice under this section may be addressed to the company at its registered office, or, if no office has been registered, to the care of some director, manager or other officer of the company, or, if there is no director, manager or other officer of the company whose name and address are known to the registrar, may be sent to each of the persons who subscribed the memorandum, addressed to him at the address mentioned in the memorandum.

PART VI.

REGISTRATION OFFICE AND FEES.

Registration offices.

248. (1) For the purposes of the registration of companies under this Act, there shall be offices at such places as the Local Government thinks fit, and no company shall be registered except at an office within the province in which, by the memorandum, the registered office of the company is declared to be established.

(2) The Local Government may appoint such registrars and assistant registrars as it thinks necessary for the registration of companies under this Act, and may make regulations with respect to their duties.

(3) The salaries of the persons appointed under this section shall be fixed by the Local Government.

(4) The Local Government may direct a seal or seals to be prepared for the authentication of documents required for or connected with the registration of companies.

The Indian Companies Act, 1913.

(Part VI.—Registration Office and Fees.—Section 249. Part VII.—Application of Act to Companies formed and registered under former Companies Acts.—Sections 250-252. Part VIII.—Companies authorised to register under this act.—Section 253)

(5) Any person may inspect the documents kept by the registrar on payment of such fees as may be appointed by the Local Government, not exceeding one rupee for each inspection; and any person may require a certificate of the incorporation of any company, or a copy or extract of any other document or any part of any other document, to be certified by the registrar on payment for the certificate, certified copy or extract, of such fees as the Local Government may appoint, not exceeding three rupees for a certificate of incorporation, and not exceeding six annas for every hundred words or fractional part thereof required to be copied.

(6) Whenever any act is by this Act directed to be done to or by the registrar it shall, until the Local Government otherwise directs, be done to or by the existing registrar of joint-stock companies or in his absence to or by such person as the Local Government may for the time being authorise; but, in the event of the Local Government altering the constitution of the existing registry offices or any of them, any such act shall be done to or by such officer and at such place with reference to the local situation of the registered offices of the companies to be registered as the Local Government may appoint.

Fees.

249. (*1*) There shall be paid to the registrar in respect of the several matters mentioned in Table B in the First Schedule the several fees therein specified, or such smaller fees as the Governor General in Council may direct.

(*2*) All fees paid to the registrar in pursuance of this Act shall be accounted for to the Crown.

PART VII.

APPLICATION OF ACT TO COMPANIES FORMED AND REGISTERED UNDER FORMER COMPANIES ACTS.

Application of Act to companies formed under former Companies Acts.

250. In the application of this Act to existing companies, it shall apply in the same manner in the case of a limited company, other than a company limited by guarantee, as if the company had been formed and registered under this Act as a company limited by shares; in the case of a company limited by guarantee as if the company had been formed and registered under this Act as a company limited by guarantee; and, in the case of a company other than a limited company, as if the company had been formed and registered under this Act as an unlimited company:

Provided that—

(1) nothing in Table A in the First Schedule shall apply to a company formed and registered under Act XIX of 1857 and Act VII of 1860, or either of them, or under the Indian Companies Act, 1866, or the Indian Companies Act, 1882;

(2) reference, express or implied, to the date of registration shall be construed as a reference to the date at which the company was registered under Act No. XIX of 1857 and Act No. VII of 1860, or either of them, or under the Indian Companies Act, 1866, or the Indian Companies Act, 1882, as the case may be.

Application of Act to companies registered but not formed under former Companies Acts.

251. This Act shall apply to every company registered but not formed under Act No. XIX of 1857 and Act No. VII of 1860 or either of them, or under the Indian Companies Act, 1866, or the Indian Companies Act, 1882, in the same manner as it is hereinafter in this Act declared to apply to companies registered but not formed under this Act: X of 1866 VI of 1882

Provided that reference, express or implied, to the date of registration shall be construed as a reference to the date at which the company was registered under the said Acts or any of them.

Mode of transferring.

252. A company registered under Act XIX of 1857 and Act VII of 1860 or either of them may cause its shares to be transferred in the manner hitherto in use, or in such other manner as the company may direct.

PART VIII.

COMPANIES AUTHORISED TO REGISTER UNDER THIS ACT.

Companies capable of being registered.

253. (*1*) With the exceptions and subject to the provisions mentioned and contained in this section,—

(i) any company consisting of seven or more members, which was in existence on the first day of May eighteen hundred and eighty-two, including any company registered under Act No. XIX of 1857 and Act No. VII of 1860 or either of them, and

(ii) any company formed after the date aforesaid, whether before or after the commencement of this Act, in pursuance of any Act of Parliament or Act of the Governor General in Council other than this Act, or of Letters Patent, or being otherwise duly constituted according to law, and consisting of seven or more members;

may at any time register under this Act as an unlimited company or as a company limited by shares, or as a company limited by guarantee; and the registration shall not be invalid by reason that it has taken place with a view to the company being wound up:

(*2*) Provided as follows:—

(*a*) a company having the liability of its members limited by Act of Parliament or Act of the Governor General in Council or by Letters Patent, and not being a joint-stock company as hereinafter defined, shall not register in pursuance of this section;

(*b*) a company having the liability of its members limited by Act of Parliament or Act of the Governor General in Council or by Letters Patent shall not register in pursuance of this section as an unlimited company or as a company limited by guarantee;

The Indian Companies Act, 1913.

(*Part VIII.—Companies authorised to register under this Act.—Sections 254-259.*)

(*c*) a company that is not a joint-stock company as hereinafter defined shall not register in pursuance of this section as a company limited by shares;

(*d*) a company shall not register in pursuance of this section without the assent of a majority of such of its members as are present in person or by proxy (in cases where proxies are allowed by the articles) at a general meeting summoned for the purpose;

(*e*) where a company not having the liability of its members limited by Act of Parliament or Act of the Governor General in Council or by Letters Patent is about to register as a limited company, the majority required to assent as aforesaid shall consist of not less than three-fourths of the members present in person or by proxy at the meeting;

(*f*) where a company is about to register as a company limited by guarantee, the assent to its being so registered shall be accompanied by a resolution declaring that each member undertakes to contribute to the assets of the company, in the event of its being wound up while he is a member, or within one year afterwards, for payment of the debts and liabilities of the company contracted before he ceased to be a member, and of the costs and expenses of winding up, and for the adjustment of the rights of the contributories among themselves such amount as may be required not exceeding a specified amount.

(*3*) In computing any majority under this section when a poll is demanded, regard shall be had to the number of votes to which each member is entitled according to the articles.

VI of 1882. (*4*) A company registered under the Indian Companies Act, 1882, shall not be registered in pursuance of this section.

Definition of "joint-stock company."

254. For the purposes of this Part as far as relates to registration of companies as companies limited by shares, a joint-stock company means a company having a permanent paid-up or nominal share capital of fixed amount divided into shares, also of fixed amount, or held and transferable as stock, or divided and held partly in one way and partly in the other, and formed on the principle of having for its members the holders of those shares or that stock, and no other persons; and such a company, when registered with limited liability under this Act, shall be deemed to be a company limited by shares.

Requirements for registration by joint-stock companies.

255. Before the registration in pursuance of this Part of a joint-stock company there shall be delivered to the registrar the following documents (that is to say):—

(*1*) a list showing the names, addresses and occupations of all persons who on a day named in the list, not being more than six clear days before the day of registration, were members of the company, with the addition of the shares or stock held by them respectively, distinguishing, in cases where the shares are numbered, each share by its number;

(*2*) a copy of any Act of Parliament, Act of the Governor General in Council, Royal Charter, Letters Patent, deed of settlement, contract of co-partnery or other instrument constituting or regulating the company; and

(*3*) if the company is intended to be registered as a limited company, a statement specifying the following particulars (that is to say):—

(*a*) the nominal share capital of the company and the number of shares into which it is divided or the amount of stock of which it consists;

(*b*) the number of shares taken and the amount paid on each share;

(*c*) the name of the company, with the addition of the word "Limited" as the last word thereof; and

(*d*) in the case of a company intended to be registered as a company limited by guarantee, the resolution declaring the amount of the guarantee.

Requirements for registration by other than joint-stock companies.

256. Before the registration in pursuance of this Part of any company not being a joint-stock company, there shall be delivered to the registrar—

(*1*) a list showing the names, addresses and occupations of the directors of the company; and

(*2*) a copy of any Act of Parliament, Act of the Governor General in Council, Letters Patent, deed of settlement, contract of co-partnery or other instrument constituting or regulating the company; and

(*3*) in the case of a company intended to be registered as a company limited by guarantee, a copy of the resolution declaring the amount of the guarantee.

Authentication of statement of existing companies.

257. The lists of members and directors and any other particulars relating to the company required to be delivered to the registrar shall be duly verified by a declaration of any two or more directors or other principal officers of the company.

Registrar may require evidence as to nature of company.

258. The registrar may require such evidence as he thinks necessary for the purpose of satisfying himself whether any company proposing to be registered is or is not a joint-stock company as hereinbefore defined.

On registration of banking company with limited liability, notice to be given to customers.

259. (*1*) Where a banking company, which was in existence on the first day of May eighteen hundred and eighty-two proposes to register as a limited company, it shall at least thirty days before so registering, give

The Indian Companies Act, 1913.

(Part VIII.—Companies authorised to register under this Act.—Sections 260-266.)

notice of its intention so to register to every person who has a banking account with the company, either by delivery of the notice to him, or by posting it to him at, or delivering it at, his last known address.

(2) If the company omits to give the notice required by this section, then as between the company and the person for the time being interested in the account in respect of which the notice ought to have been given, and so far as respects the account down to the time at which notice is given, but not further or otherwise, the certificate of registration with limited liability shall have no operation.

Exemption of certain companies from payment of fees.

260. No fees shall be charged in respect of the registration in pursuance of this Part of a company if it is not registered as a limited company, or if before its registration as a limited company the liability of the shareholders was limited by some Act of Parliament or Act of the Governor General in Council or by Letters Patent.

Addition of "Limited" to name.

261. When a company registers in pursuance of this Part with limited liability, the word "Limited" shall form and be registered as part of its name.

Certificate of registration of existing companies.

262. On compliance with the requirements of this Part with respect to registration, and on payment of such fees, if any, as are payable under Table B in the First Schedule, the registrar shall certify under his hand that the company applying for registration is incorporated as a company under this Act, and in the case of a limited company that it is limited, and thereupon the company shall be incorporated, and shall have perpetual succession and a common seal.

Vesting of property on registration.

263. All property, moveable and immoveable, including all interests and rights in, to and out of property, moveable and immoveable, and including obligations and actionable claims as may belong to or be vested in a company at the date of its registration in pursuance of this Part, shall, on registration, pass to and vest in the company as incorporated under this Act for all the estate and interest of the company therein.

Saving of existing liabilities.

264. The registration of a company in pursuance of this Part shall not affect the rights or liabilities of the company in respect of any debt or obligation incurred or any contract entered into, by, to, with, or on behalf of, the company before registration.

Continuation of existing suits.

265. All suits and other legal proceedings which at the time of the registration of a company in pursuance of this Part are pending by or against the company, or the public officer or any member thereof, may be continued in the same manner as if the registration had not taken place; nevertheless execution shall not issue against the effects of any individual member of the company on any decree or order obtained in any such suit or proceeding; but, in the event of the property and effects of the company being insufficient to satisfy the decree or order, an order may be obtained for winding up the company.

Effect of registration under Act.

266. When a company is registered in pursuance of this Part—

(i) all provisions contained in any Act of Parliament, Act of the Governor General in Council, deed of settlement, contract of co-partnery, Letters Patent, or other instrument constituting or regulating the company, including, in the case of a company registered as a company limited by guarantee, the resolution declaring the amount of the guarantee, shall be deemed to be conditions and regulations of the company, in the same manner and with the same incidents as if so much thereof as would, if the company had been formed under this Act, have been required to be inserted in the memorandum, were contained in a registered memorandum, and the residue thereof were contained in registered articles;

(ii) all the provisions of this Act shall apply to the company and the members, contributories and creditors thereof, in the same manner in all respects as if it had been formed under this Act, subject as follows (that is to say):—

(a) the regulations in Table A in the First Schedule shall not apply unless adopted by special resolution;

(b) the provisions of this Act relating to the numbering of shares shall not apply to any joint-stock company whose shares are not numbered;

(c) subject to the provisions of this section, the company shall not have power to alter any provision contained in any Act of Parliament or Act of the Governor General in Council relating to the company;

(d) subject to the provisions of this section, the company shall not have power, without the sanction of the Governor General in Council, to alter any provision contained in any Letters Patent relating to the company;

(e) the company shall not have power to alter any provision contained in a Royal Charter or Letters Patent with respect to the objects of the company;

(f) in the event of the company being wound up, every person shall be a contributory, in respect of the debts and liabilities of the company contracted before registration, who is liable to pay or contribute to the payment of any debt or liability of the company contracted before registration, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members among themselves in respect of any such debt or liability; or to pay or contribute to the payment of the costs and expenses of winding up the company, so far as relates to such debts or liabilities as aforesaid; and every contributory shall be liable to contribute to the assets of the company, in the course of the winding up, all sums

The Indian Companies Act, 1913

(Part VIII.—Companies authorised to register under this Act.—Sections 267-269. Part IX.—Winding up of Unregistered Companies.—Sections 270-271.)

due from him in respect of any such liability as aforesaid; and in the event of the death or insolvency of any contributory, the provisions of this Act with respect to the legal representatives and heirs of deceased contributories, and with reference to the assignees of insolvent contributories, shall apply;

(iii) the provisions of this Act with respect to—

(*a*) the registration of an unlimited company as limited;

(*b*) the powers of an unlimited company on registration as a limited company to increase the nominal amount of its share capital and to provide that a portion of its share capital shall not be capable of being called up except in the event of winding up;

(*c*) the power of a limited company to determine that a portion of its share capital shall not be capable of being called up except in the event of winding up;

shall apply notwithstanding any provisions contained in any Act of Parliament, Act of the Governor General in Council, Royal Charter, deed of settlement, contract of co-partnery, Letters Patent or other instrument constituting or regulating the company;

(iv) nothing in this section shall authorise the company to alter any such provisions contained in any deed of settlement, contract of co-partnery, Letters Patent or other instrument constituting or regulating the company, as would, if the company had originally been formed under this Act, have been required to be contained in the memorandum and are not authorised to be altered by this Act;

(v) nothing in this Act shall derogate from any lawful power of altering its constitution or regulations which may by virtue of any Act of Parliament, Act of the Governor General in Council, deed of settlement, contract of co-partnery, Letters Patent or other instrument constituting or regulating the company, be vested in the company.

Power to substitute memorandum and articles for deed of settlement.

267. (*1*) Subject to the provisions of this section, a company registered in pursuance of this Part may by special resolution alter the form of its constitution by substituting a memorandum and articles for a deed of settlement.

(*2*) The provisions of this Act with respect to confirmation by the Court and registration of an alteration of the objects of a company shall, so far as applicable, apply to an alteration under this section with the following modifications:—

(*a*) there shall be substituted for the printed copy of the altered memorandum required to be filed with the registrar a printed copy of the substituted memorandum and articles; and,

(*b*) on the registration of the alteration being certified by the registrar, the substituted memorandum and articles shall apply to the company in the same manner as if it were a company registered under this Act with that memorandum and those articles, and the company's deed of settlement shall cease to apply to the company.

(*3*) An alteration under this section may be made either with or without any alteration of the objects of the company under this Act.

(*4*) In this section the expression "deed of settlement" includes any contract of co-partnery or other instrument constituting or regulating the company, not being an Act of Parliament, an Act of the Governor General in Council, a Royal Charter or Letters Patent.

Power of Court to stay or restrain proceedings.

268. The provisions of this Act with respect to staying and restraining suits and legal proceedings against a company at any time after the presentation of a petition for winding up and before the making of a winding up order shall, in the case of a company registered in pursuance of this Part, where the application to stay or restrain is by a creditor, extend to suits and legal proceedings against any contributory of the company.

Suits stayed on winding up order.

269. Where an order has been made for winding up a company registered in pursuance of this Part, no suit or other legal proceeding shall be commenced or proceeded with against the company or any contributory of the company in respect of any debt of the company, except by leave of the Court, and subject to such terms as the Court may impose.

PART IX.

WINDING UP OF UNREGISTERED COMPANIES.

Meaning of "unregistered company."

270. For the purposes of this Part, the expression "unregistered company" shall not include a railway company incorporated by Act of Parliament or by an Act of the Governor General in Council, nor a company registered under the Indian Companies Act, 1866, 1 of [illegible] or under any Act repealed thereby, or under the Indian Companies Act, 1882, or under this VI of [illegible] Act, but, save as aforesaid, shall include any partnership, association or company consisting of more than seven members.

Winding up of unregistered companies.

271. (*1*) Subject to the provisions of this Part, any unregistered company may be wound up under this Act, and all the provisions of this Act with respect to winding up shall apply to an unregistered company, with the following exceptions and additions:—

(i) an unregistered company shall, for the purpose of determining the Court having jurisdiction in the matter of the winding up, be deemed to be registered in the province where its principal place

The Indian Companies Act, 1913.

(Part IX.—Winding up of Unregistered Companies.—Sections 271—275.)

of business is situate or, if it has a principal place of business situate in more than one province, then in each province where it has a principal place of business; and the principal place of business situate in that province in which proceedings are being instituted shall, for all the purposes of the winding up, be deemed to be the registered office of the company;

(ii) no unregistered company shall be wound up under this Act voluntarily or subject to supervision;

(iii) the circumstances in which an unregistered company may be wound up are as follows (that is to say):—

(a) if the company is dissolved, or has ceased to carry on business or is carrying on business only for the purpose of winding up its affairs;

(b) if the company is unable to pay its debts;

(c) if the Court is of opinion that it is just and equitable that the company should be wound up;

(iv) an unregistered company shall, for the purposes of this Act, be deemed to be unable to pay its debts—

(a) if a creditor, by assignment or otherwise, to whom the company is indebted in a sum exceeding five hundred rupees then due, has served on the company, by leaving at its principal place of business, or by delivering to the secretary, or some director, manager or principal officer of the company, or by otherwise serving in such manner as the Court may approve or direct, a demand under his hand requiring the company to pay the sum so due, and the company has for three weeks after the service of the demand neglected to pay the sum, or to secure or compound for it to the satisfaction of the creditor;

(b) if any suit or other legal proceeding has been instituted against any member for any debt or demand due or claimed to be due, from the company or from him in his character of member, and notice in writing of the institution of the suit or other legal proceeding having been served on the company by leaving the same at its principal place of business or by delivering it to the secretary, or some director, manager or principal officer of the company or by otherwise serving the same in such manner as the Court may approve or direct, the company has not within ten days after service of the notice paid, secured or compounded for the debt or demand, or procured the suit or other legal proceeding to be stayed, or indemnified the defendant to his reasonable satisfaction against the suit or other legal proceeding, and against all costs, damages and expenses to be incurred by him by reason of the same;

(c) if execution or other process issued on a decree or order obtained in any Court in favour of a creditor against the company, or any member thereof as such, or any person authorised to be sued as nominal defendant on behalf of the company, is returned unsatisfied; and

(d) if it is otherwise proved to the satisfaction of the Court that the company is unable to pay its debts.

(2) Nothing in this Part shall affect the operation of any enactment which provides for any partnership, association or company being wound up, or being wound up as a company or as an unregistered company, under any enactment repealed by this Act, except that references in any such first-mentioned enactment to any such repealed enactment shall be read as references to the corresponding provision (if any) of this Act.

Contributories in winding up of unregistered companies.

272. (1) In the event of an unregistered company being wound up, every person shall be deemed to be a contributory who is liable to pay or contribute to the payment of any debt or liability of the company, or to pay or contribute to the payment of any sum for the adjustment of the rights of the members among themselves, or to pay or contribute to the payment of the costs and expenses of winding up the company, and every contributory shall be liable to contribute to the assets of the company all sums due from him in respect of any such liability as aforesaid.

(2) In the event of any contributory, dying or being adjudged insolvent, the provisions of this Act with respect to the legal representatives and heirs of deceased contributories, and to the assignees of insolvent contributories shall apply.

Power to stay or restrain proceedings.

273. The provisions of this Act with respect to staying and restraining suits and legal proceedings against a company at any time after the presentation of a petition for winding up and before the making of a winding up order shall, in the case of an unregistered company, where the application to stay or restrain is by a creditor, extend to suits and legal proceedings against any contributory of the company.

Suits stayed on winding up order.

274. Where an order has been made for winding up an unregistered company, no suit or other legal proceeding shall be proceeded with or commenced against any contributory of the company in respect of any debt of the company, except by leave of the Court, and subject to such terms as the Court may impose.

Directions as to property in certain cases.

275. If an unregistered company has no power to sue and be sued in a common name, or if for any reason it appears expedient, the Court may by the winding up order, or by any subsequent order, direct that all or any part of the property, move-

The Indian Companies Act, 1913.

(Part IX.—Winding up of Unregistered Companies.—Section 276. Part X.—Companies established outside British India.—Section 277.)

able or immoveable, including all interests and rights in, to and out of property, moveable and immoveable, and including obligations and actionable claims as may belong to the company or to trustees on its behalf, is to vest in the official liquidator by his official name, and thereupon the property or the part thereof specified in the order shall vest accordingly; and the official liquidator may, after giving such indemnity (if any) as the Court may direct, bring or defend in his official name any suit or other legal proceeding relating to that property, or necessary to be brought or defended for the purposes of effectually winding up the company and recovering its property.

Provisions of this Part cumulative.

276. The provisions of this Part with respect to unregistered companies shall be in addition to, and not in restriction of, any provisions hereinbefore in this Act contained with respect to winding up companies by the Court, and the Court or official liquidator may exercise any powers or do any act in the case of unregistered companies which might be exercised or done by it or him in winding up companies formed and registered under this Act; but an unregistered company shall not, except in the event of its being wound up, be deemed to be a company under this Act, and then only to the extent provided by this Part.

PART X.

COMPANIES ESTABLISHED OUTSIDE BRITISH INDIA.

Requirements as to companies established outside British India.

277. (1) Every company incorporated outside British India which at the commencement of this Act has a place of business in British India, and every such company which after the commencement of this Act establishes such a place of business within British India shall, within six months from the commencement of this Act or within one month from the establishment of such place of business, as the case may be, file with the registrar in the province in which such place of business is situated,—

(a) a certified copy of the charter, statutes or memorandum and articles of the company, or other instrument constituting or defining the constitution of the company, and, if the instrument is not written in the English language, a certified translation thereof;

(b) the full address of the registered or principal office of the company;

(c) a list of the directors and managers (if any) of the company;

(d) the names and addresses of some one or more persons resident in British India authorised to accept on behalf of the company service of process and any notices required to be served on the company;

and, in the event of any alteration being made in any such instrument or in such address or in the directors or managers or in the names or addresses of any such persons as aforesaid, the company shall, within the prescribed time, file with the registrar a notice of the alteration.

(2) Any process or notice required to be served on the company shall be sufficiently served, if addressed to any person whose name has been so filed as aforesaid and left at or sent by post to the address which has been so filed.

(3) Every company to which this section applies shall in every year file with the registrar of the province in which the company has its principal place of business—

(i) in a case where by the law, for the time being in force, of the country in which the company is incorporated such company is required to file with the public authority an annual balance-sheet,—a copy of that balance-sheet; or

(ii) in a case where no such provision is made by the law, for the time being in force, of the country in which the company is incorporated,—such a statement in the form of a balance-sheet as such company would if it were a company formed and registered under this Act, be required to file in accordance with the provisions of this Act:

Provided that the Governor General in Council may, by notification in the Gazette of India subject to such restrictions and conditions, if any, as he may therein prescribe, exempt any such company or any class of such companies from this requirement.

(4) Every company to which this section applies and which uses the word "Limited" as part of its name, shall—

(a) in every prospectus inviting subscriptions for its share or debentures in British India state the country in which the company is incorporated; and

(b) conspicuously exhibit on every place where it carries on business in British India the name of the company and the country in which the company is incorporated in letters easily legible in English characters, and also, if any place where it carries on business is beyond the local limits of the ordinary original civil jurisdiction of a High Court, in the characters of one of the vernacular languages used in that place; and

(c) have the name of the company and of the country in which the company is incorporated mentioned in legible English characters in all bill-heads and letter paper, and in all notices, advertisements and other official publications of the company.

(5) If any company to which this section applies fails to comply with any of the requirements of this section, the company, and every officer or agent of the company, shall be liable to a fine not exceeding five hundred rupees or, in the case of a continuing offence, fifty rupees for every day during which the default continues.

(6) For the purposes of this section—

(a) the expression "certified" means certified in the prescribed manner to be a true copy or a correct translation;

The Indian Companies Act, 1913.

(*Part XI.—Supplemental.—Sections 278-289.*)

(*b*) the expression "place of business" includes a share transfer or share registration office;

(*c*) the expression "director" includes any person occupying the position of director, by whatever name called; and

(*d*) the expression "prospectus" means any prospectus, notice, circular, advertisement or other invitation, offering to the public for subscription or purchase any shares or debentures of the company.

(*7*) There shall be paid to the registrar for registering any document required by this section to be filed with him a fee of five rupees or such smaller fee as may be prescribed.

PART XI.

SUPPLEMENTAL.

Legal proceedings, offences, etc.

Cognizance of offences.

278. (*1*) No Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence against this Act.

(*2*) If any offence which by this Act is declared to be punishable by fine only is committed by any person within the local limits of the ordinary original civil jurisdiction of the High Courts of Judicature at Fort William, Madras and Bombay, such offence shall be punishable upon summary conviction by any Presidency Magistrate of the place at which such Court is held.

(*3*) Notwithstanding anything in the Code of Criminal Procedure, 1898, every offence against this Act shall, for the purposes of the said Code, be deemed to be non-cognizable.

Applications of fines.

279. The Court imposing any fine under this Act may direct that the whole or any part thereof be applied in or towards payment of the costs of the proceedings, or in or towards the rewarding of the person on whose information the fine is recovered.

Power to require limited company to give security for costs.

280. Where a limited company is plaintiff or petitioner in any suit or other legal proceeding, any Court having jurisdiction in the matter may, if it appears that there is reason to believe that the company will be unable to pay the costs of the defendant if successful in his defence, require sufficient security to be given for those costs, and may stay all proceedings until the security is given.

Power of Court to grant relief in certain cases.

281. If in any proceeding before any Court against a director of a company for negligence or breach of trust it appears to such Court that the director is or may be liable in respect of the negligence or breach of trust, but has acted honestly and reasonably, and ought fairly to be excused for the negligence or breach of trust, that Court may relieve him, either wholly or partly, from his liability on such terms as the Court may think proper.

Penalty for false statement.

282. Whoever in any return, report, certificate, balance-sheet or other document, required by or for the purposes of any of the provisions of this Act wilfully makes a statement false in any material particular, knowing it to be false, shall be punishable with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

Penalty for improper use of word "Limited."

283. If any person or persons trade or carry on business under any name or title of which "Limited" is the last word, that person or those persons shall, unless duly incorporated with limited liability, be liable to a fine not exceeding fifty rupees for every day upon which that name or title has been used.

Saving of pending proceedings for winding up.

284. The provisions of this Act with respect to winding up shall not apply to any company of which the winding up has commenced before the commencement of this Act, but every such company shall be wound up in the same manner and with the same incidents as if this Act had not been passed, and, for the purposes of the winding up, the Indian Companies Act, 1882, shall be deemed to remain in full force. VI of 1882.

Saving of document.

285. Every instrument of transfer or other document made before the commencement of this Act in pursuance of any enactment hereby repealed, shall be of the same force as if this Act had not been passed, and for the purposes of that instrument or document the repealed enactment shall be deemed to remain in full force.

Former registration offices, registers, and registrars continued.

286. (*1*) The offices existing at the commencement of this Act for registration of joint-stock companies shall be continued as if they had been established under this Act.

(*2*) Registers of companies kept in any such existing offices shall respectively be deemed part of the registers of companies to be kept under this Act.

(*3*) The existing registrars, assistant registrars and officers in those offices shall, during the pleasure of the Local Government, hold the offices and receive the salaries hitherto held and received by them, but subject to any regulations of the Local Government with regard to the execution of their duties.

Savings for Indian Life Assurance Companies Act, 1912, and Provident Insurance Societies Act, 1912.

287. Nothing in this Act shall affect the provisions of the Indian Life Assurance Companies Act, 1912, or of the Provident Insurance Societies Act, 1912. VI of 1912. V of 1912.

Construction of "registrar of joint-stock companies" in Act XXI of 1860.

288. In sections 1 and 18 of Act No. XXI of 1860 (for the registration of Literary, Scientific and Charitable Societies), the words "registrar of joint-stock companies" shall be construed to mean the registrar under this Act.

Act not to apply to Banks of Bengal, Madras or Bombay.

289. Save as provided in sections 188 and 189, nothing in this Act shall be deemed to apply to the Bank of Bengal, the Bank of Madras and the Bank of Bombay.

The Indian Companies Act, 1913.

(Part XI.—Supplemental.—Section 290.—The First Schedule.)

Repeal of Acts and Savings.

290. (*1*) The enactments mentioned in the Fourth Schedule are hereby repealed to the extent specified in the fourth column thereof:

Provided that the repeal shall not affect—

(*a*) the incorporation of any company registered under any enactment hereby repealed; nor

(*b*) Table B in the Schedule annexed to Act No. XIX of 1857, or any part thereof, so far as the same applies to any company existing at the commencement of this Act; nor

VI of 1882.

(*c*) Table A in the First Schedule annexed to the Indian Companies Act, 1882, or any part thereof so far as the same applies to any company existing at the commencement of this Act.

(*2*) All fees directed, resolutions passed and other things duly done under any enactment hereby repealed, shall be deemed to have been directed, passed or done under this Act.

X of 1897.

(*3*) The mention of particular matters in this section or in any other section of this Act shall not prejudice the general application of section 6 of the General Clauses Act, 1897, with regard to the effect of repeals.

SCHEDULES

THE FIRST SCHEDULE.

(*See sections 2, 17, 18, 79, 266.*)

TABLE A.

REGULATIONS FOR MANAGEMENT OF A COMPANY LIMITED BY SHARES.

Preliminary.

1. In these regulations, unless the context otherwise requires, expressions defined in the Indian Companies Act, 1913, or any statutory modification thereof in force at the date at which these regulations become binding on the company, shall have the meanings so defined; and words importing the singular shall include the plural, and *vice versâ*, and words importing the masculine gender shall include females, and words importing persons shall include bodies corporate.

Business.

2. The directors shall have regard to the restrictions on the commencement of business imposed by section 103 of the Indian Companies Act, 1913, if, and so far as, those restrictions are binding upon the company.

Shares.

3. Subject to the provisions, if any, in that behalf of the memorandum of association of the company, and without prejudice to any special rights previously conferred on the holders of existing shares in the company, any share in the company may be issued with such preferred, deferred or other special rights, or such restrictions, whether in regard to dividend, voting, return of share capital, or otherwise, as the company may from time to time by special resolution determine.

4. If at any time the share capital is divided into different classes of shares, the rights attached to any class (unless otherwise provided by the terms of issue of the shares of that class) may be varied with the consent in writing of the holders of three-fourths of the issued shares of that class, or with the sanction of an extraordinary resolution passed at a separate general meeting of the holders of the shares of the class. To every such separate general meeting the provisions of these regulations relating to general meetings shall *mutatis mutandis* apply, but so that the necessary quorum shall be two persons at least holding or representing by proxy one-third of the issued shares of the class.

5. No share shall be offered to the public for subscription except upon the terms that the amount payable on application shall be at least five per cent. of the nominal amount of the share; and the directors shall, as regards any allotment of shares, duly comply with such of the provisions of sections 101 and 104 of the Indian Companies Act, 1913, as may be applicable thereto.

6. Every person whose name is entered as a member in the register of members shall, without payment, be entitled to a certificate under the common seal of the company specifying the share or shares held by him and the amount paid up thereon: Provided that, in respect of a share or shares held jointly by several persons, the company shall not be bound to issue more than one certificate, and delivery of a certificate for a share to one of several joint-holders shall be sufficient delivery to all.

7. If a share certificate is defaced, lost or destroyed, it may be renewed on payment of such fee, if any, not exceeding eight annas, and on such terms, if any, as to evidence and indemnity as the directors think fit.

8. No part of the funds of the company shall be employed in the purchase of, or in loans upon the security of, the company's shares.

Lien.

9. The company shall have a lien on every share (not being a fully-paid share) for all moneys (whether presently payable or not) called or payable at a fixed time in respect of that share, and the company shall also have a lien on all shares (other than fully-paid shares) standing registered in the name of a single person, for all moneys presently payable by him or his estate to the company; but the directors may at any time declare any share to be wholly or in part exempt from the provisions of this clause. The company's lien, if any, on a share shall extend to all dividends payable thereon.

The Indian Companies Act, 1913.

(*The First Schedule.*)

10. The company may sell, in such manner as the director thinks fit, any shares on which the company has a lien, but no sale shall be made unless some sum in respect of which the lien exists is presently payable, nor until the expiration of fourteen days after a notice in writing, stating and demanding payment of such part of amount in respect of which the lien exists as is presently payable, has been given to the registered holder for the time being of the share, or the person entitled by reason of his death or insolvency to the share.

11. The proceeds of the sale shall be applied in payment of such part of the amount in respect of which the lien exists as is presently payable, and the residue shall (subject to a like lien for sums not presently payable as existed upon the shares prior to the sale) be paid to the person entitled to the shares at the date of the sale. The purchaser shall be registered as the holder of the shares, and he shall not be bound to see to the application of the purchase-money, nor shall his title to the shares be affected by any irregularity or invalidity in the proceedings in reference to the sale.

Calls on Shares.

12. The directors may from time to time make calls upon the members in respect of any moneys unpaid on their shares, provided that no call shall exceed one-fourth of the nominal amount of the share, or be payable at less than one month from the last call; and each member shall (subject to receiving at least fourteen days' notice specifying the time or times of payments) pay to the company at the time or times so specified the amount called on his shares.

13. The joint-holders of a share shall be jointly and severally liable to pay all calls in respect thereof.

14. If a sum called in respect of a share is not paid before or on the day appointed for payment thereof, the person from whom the sum is due shall pay interest upon the sum at the rate of five per cent. per annum from the day appointed for the payment thereof to the time of the actual payment, but the directors shall be at liberty to waive payment of that interest wholly or in part.

15. The provisions of these regulations as to payment of interest shall apply in the case of non-payment of any sum which, by the terms of issue of a share, becomes payable at a fixed time, whether on account of the amount of the share, or by way of premium, as if the same had become payable by virtue of a call duly made and notified.

16. The directors may make arrangements on the issue of shares for a difference between the holders in the amount of calls to be paid and in the times of payment.

17. The directors may, if they think fit, receive from any member willing to advance the same all or any part of the moneys uncalled and unpaid upon any shares held by him; and upon all or any of the moneys so advanced may (until the same would, but for such advance, become presently payable) pay interest at such rate (not exceeding, without the sanction of the company in general meeting, six per cent.) as may be agreed upon between the member paying the sum in advance and the directors.

Transfer and transmission of shares.

18. The instrument of transfer of any share in the company shall be executed both by the transferor and transferee, and the transferor shall be deemed to remain holder of the share until the name of the transferee is entered in the register of members in respect thereof.

19. Shares in the company shall be transferred in the following form, or in any usual or common form which the directors shall approve :

I, A B of , in consideration of the sum of rupees paid to me by C D of (hereinafter called "the said transferee"), do hereby transfer to the said transferee the share [*or* shares] numbered in the undertaking called the Company, Limited, to hold unto the said transferee, his executors, administrators and assigns, subject to the several conditions on which I held the same at the time of the execution thereof, and I, the said transferee, do hereby agree to take the said share [*or* shares] subject to the conditions aforesaid. As witness our hands the day of

Witness to the signatures of, etc.

20. The directors may decline to register any transfer of shares, not being fully-paid shares, to a person of whom they do not approve, and may also decline to register any transfer of shares on which the company has a lien. The directors may also suspend the registration of transfers during the fourteen days immediately preceding the ordinary general meeting in each year. The directors may decline to recognise any instrument of transfer unless—

(*a*) a fee not exceeding two rupees is paid to the company in respect thereof; and

(*b*) the instrument of transfer is accompanied by the certificate of the shares to which it relates, and such other evidence as the directors may reasonably require to show the right of the transferor to make the transfer.

21. The executors or administrators of a deceased sole holder of a share shall be the only persons recognised by the company as having any title to the share. In the case of a share registered in the names of two or more holders, the survivors or survivor, or the executors or administrators of the deceased survivor, shall be the only persons recognised by the company as having any title to the share.

22. Any person becoming entitled to a share in consequence of the death or insolvency of a member shall, upon such evidence being produced as may from time to time be required by the directors, have the right, either to be registered as a member in respect of the share or, instead of being registered himself, to make such transfer of the share as the deceased or insolvent person could have made; but the directors shall, in either case, have the same right to decline or suspend registration as they would have had in the case of a transfer of the share by the deceased or insolvent person before the death or insolvency.

23. A person becoming entitled to a share by reason of the death or insolvency of the holder shall be entitled to the same dividends and other

The Indian Companies Act, 1913.

(*The First Schedule.*)

advantages to which he would be entitled if he were the registered holder of the share, except that he shall not, before being registered as a member in respect of the share, be entitled in respect of it to exercise any right conferred by membership in relation to meetings of the company.

Forfeiture of shares.

24. If a member fails to pay any call or instalment of a call on the day appointed for payment thereof, the directors may, at any time thereafter during such time as any part of such call or instalment remains unpaid, serve a notice on him requiring payment of so much of the call or instalment as is unpaid, together with any interest which may have accrued.

25. The notice shall name a further day (not earlier than the expiration of fourteen days, from the date of the notice) on or before which the payment required by the notice is to be made, and shall state that, in the event of non-payment at or before the time appointed, the shares in respect of which the call was made will be liable to be forfeited.

26. If the requirements of any such notice as aforesaid are not complied with, any share in respect of which the notice has been given may at any time thereafter, before the payment required by the notice has been made, be forfeited by a resolution of the directors to that effect.

27. A forfeited share may be sold or otherwise disposed of on such terms and in such manner as the directors think fit, and at any time before a sale or disposition the forfeiture may be cancelled on such terms as the directors think fit.

28. A person whose shares have been forfeited shall cease to be a member in respect of the forfeited shares, but shall, notwithstanding, remain liable to pay to the company all moneys which, at the date of forfeiture, were presently payable by him to the company in respect of the shares, but his liability shall cease if and when the company receive payment in full of the nominal amount of the shares.

29. A duly verified declaration in writing that the declarant is a director of the company, and that a share in the company has been duly forfeited on a date stated in the declaration, shall be conclusive evidence of the facts therein stated as against all persons claiming to be entitled to the share, and that declaration, and the receipt of the company for the consideration, if any, given for the share on the sale or disposition thereof, shall constitute a good title to the share, and the person to whom the share is sold or disposed of shall be registered as the holder of the share and shall not be bound to see to the application of the purchase-money (if any), nor shall his title to the share be affected by any irregularity or invalidity in the proceedings in reference to the forfeiture, sale or disposal of the share.

30. The provisions of these regulations as to forfeiture shall apply in the case of non-payment of any sum which, by the terms of issue of a share, becomes payable at a fixed time, whether on account of the amount of the share, or by way of premium, as if the same had been payable by virtue of a call duly made and notified.

Conversion of shares into stock.

31. The directors may, with the sanction of the company previously given in general meeting, convert any paid-up shares into stock, and may with the like sanction re-convert any stock into paid-up shares of any denomination.

32. The holders of stock may transfer the same, or any part thereof, in the same manner, and subject to the same regulations, as, and subject to which, the shares from which the stock arose might previously to conversion have been transferred, or as near thereto as circumstances admit; but the directors may from time to time fix the minimum amount of stock transferable, and restrict or forbid the transfer of fractions of that minimum, but the minimum shall not exceed the nominal amount of the shares from which the stock arose.

33. The holders of stock shall, according to the amount of the stock held by them, have the same rights, privileges and advantages as regards dividends, voting at meetings of the company, and other matters, as if they held the shares from which the stock arose, but no such privilege or advantage (except participation in the dividends and profits of the company) shall be conferred by any such aliquot part of stock as would not, if existing in shares, have conferred that privilege or advantage.

34. Such of the regulations of the company (other than those relating to share-warrants), as are applicable to paid-up shares shall apply to stock, and the words "share" and "shareholder" therein shall include "stock" and "stockholder."

Share-warrants.

35. The company may issue share-warrants, and accordingly the directors may in their discretion, with respect to any share which is fully paid up, on application in writing signed by the person registered as holder of the share, and authenticated by such evidence (if any) as the directors may from time to time require as to the identity of the person signing the request, and on receiving the certificate (if any) of the share, and the amount of the stamp-duty on the warrant and such fee as the directors may from time to time require, issue under the company's seal a warrant, duly stamped, stating that the bearer of the warrant is entitled to the shares therein specified, and may provide by coupons or otherwise for the payment of dividends, or other moneys, on the shares included in the warrant.

36. A share-warrant shall entitle the bearer to the shares included in it, and the share shall be transferred by the delivery of the share-warrant, and the provisions of the regulations of the company with respect to transfer and transmission of shares shall not apply thereto.

37. The bearer of a share-warrant shall, on surrender of the warrant to the company for cancellation, and on payment of such sum as the directors may from time to time prescribe, be entitled to have his name entered as a member in the register of members in respect of the shares included in the warrant.

The Indian Companies Act, 1913.

(*The First Schedule.*)

38. The bearer of a share-warrant may at any time deposit the warrant at the office of the company, and so long as the warrant remains so deposited, the depositor shall have the same right of signing a requisition for calling a meeting of the company, and of attending and voting and exercising the other privileges of a member at any meeting held after the expiration of two clear days from the time of deposit, as if his name were inserted in the register of members as the holder of the shares included in the deposited warrant. Not more than one person shall be recognised as depositor of the share-warrant. The company shall, on two days' written notice, return the deposited share-warrant to the depositor.

39. Subject as herein otherwise expressly provided, no person shall, as bearer of a share-warrant, sign a requisition for calling a meeting of the company, or attend, or vote or exercise any other privilege of a member at a meeting of the company, or be entitled to receive any notices from the company; but the bearer of a share-warrant shall be entitled in all other respects to the same privileges and advantages as if he were named in the register of members as the holder of the shares included in the warrant, and he shall be a member of the company.

40. The directors may from time to time make rules as to the terms on which (if they shall think fit) a new share-warrant or coupon may be issued by way of renewal in case of defacement, loss or destruction.

Alteration of Capital.

41. The directors may, with the sanction of an extraordinary resolution of the company, increase the share capital by such sum, to be divided into shares of such amount, as the resolution shall prescribe.

42. Subject to any direction to the contrary that may be given by the resolution sanctioning the increase of share capital, all new shares shall, before issue, be offered to such persons as at the date of the offer are entitled to receive notices from the company of general meetings in proportion, as nearly as the circumstances admit, to the amount of the existing shares to which they are entitled. The offer shall be made by notice specifying the number of shares offered, and limiting a time within which the offer, if not accepted, will be deemed to be declined, and after the expiration of that time, or on the receipt of an intimation from the person to whom the offer is made that he declines to accept the shares offered, the directors may dispose of the same in such manner as they think most beneficial to the company. The directors may likewise so dispose of any new shares which (by reason of the ratio which the new shares bear to shares held by persons entitled to an offer of new shares) cannot, in the opinion of the directors, be conveniently offered under this article.

43. The new shares shall be subject to the same provisions with reference to the payment of calls, lien, transfer, transmission, forfeiture and otherwise as the shares in the original share capital.

44. The company may, by special resolution,—

(a) consolidate and divide its share capital into shares of larger amount than its existing shares;

(b) by sub-division of its existing shares or any of them, divide the whole or any part of its share capital into shares of smaller amount than is fixed by the memorandum of association, subject, nevertheless, to the provisions of paragraph (*d*) of sub-section (*1*) of section 50 of the Indian Companies Act, 1913;

(c) cancel any shares which, at the date of the passing of the resolution, have not been taken or agreed to be taken by any person;

(d) reduce its share capital in any manner and with, and subject to, any incident authorised, and consent required, by law.

General Meetings.

45. The statutory general meeting of the company shall be held within the period required by section 77 of the Indian Companies Act, 1913.

46. A general meeting shall be held once in every year at such time (not being more than fifteen months after the holding of the last preceding general meeting) and place as may be prescribed by the company in general meeting, or, in default, at such time in the month following that in which the anniversary of the company's incorporation occurs, and at such place as the directors shall appoint. In default of a general meeting being so held, a general meeting shall be held in the month next following, and may be called by any two members in the same manner as nearly as possible as that in which meetings are to be called by the directors.

47. The above-mentioned general meetings shall be called ordinary meetings; all other general meetings shall be called extraordinary.

48. The directors may, whenever they think fit, call an extraordinary general meeting, and extraordinary general meetings shall also be called on such requisition, or in default, may be called by such requisitionists, as provided by section 78 of the Indian Companies Act, 1913. If at any time there are not within British India sufficient directors capable of acting to form a quorum, any director or any two members of the company may call an extraordinary general meeting in the same manner as nearly as possible as that in which meetings may be called by the directors.

Proceedings at General Meeting.

49. Fourteen days' notice at the least (exclusive of the day on which the notice is served or deemed to be served, but inclusive of the day for which notice is given) specifying the place, the day and the hour of meeting and, in case of special business, the general nature of that business, shall be given in manner hereinafter mentioned, or in such other manner, if any, as may be prescribed by the company in general meeting, to such persons as are, under the regulations of the company, entitled to receive such notices from the company; but the non-receipt of the notice by any member shall not invalidate the proceedings at any general meeting.

50. All business shall be deemed special that is transacted at an extraordinary meeting, and all

The Indian Companies Act, 1913.

(*The First Schedule.*)

that is transacted at an ordinary meeting with the exception of sanctioning a dividend, the consideration of the accounts, balance-sheets and the ordinary report of the directors and auditors, the election of directors and other officers in the place of those retiring by rotation, and the fixing of the remuneration of the auditors.

51. No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business; save as herein otherwise provided, three members personally present shall be a quorum.

52. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting, if called upon the requisition of members, shall be dissolved; in any other case, it shall stand adjourned to the same day in the next week at the same time and place, and, if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.

53. The chairman, if any, of the board of directors shall preside as chairman at every general meeting of the company.

54. If there is no such chairman, or if at any meeting he is not present within fifteen minutes after the time appointed for holding the meeting, or is unwilling to act as chairman, the members present shall choose some one of their number to be chairman.

55. The chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for ten days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid, it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

56. At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands, unless a poll is (before or on the declaration of the result of the show of hands) demanded by at least three members, and, unless a poll is so demanded, a declaration by the chairman that a resolution has, on a show of hands, been carried, or carried unanimously, or by a particular majority or lost, and an entry to that effect in the book of the proceedings of the company shall be conclusive evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

57. If a poll is duly demanded, it shall be taken in such manner as the chairman directs, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

58. In the case of an equality of votes, whether on a show of hands or on a poll, the chairman of the meeting at which the show of hands takes place, or at which the poll is demanded, shall be entitled to a second or casting vote.

59. A poll demanded on the election of a chairman or on a question of adjournment shall be taken forthwith. A poll demanded on any other question shall be taken at such time as the chairman of the meeting directs.

Votes of Members.

60. On a show of hands every member present in person shall have one vote. On a poll every member shall have one vote for each share of which he is the holder.

61. In the case of joint-holders, the vote of the senior who tenders a vote, whether in person or by proxy shall be accepted to the exclusion of the votes of the other joint-holders; and for this purpose seniority shall be determined by the order in which the names stand in the register of members.

62. A member of unsound mind, or in respect of whom an order has been made by any Court having jurisdiction in lunacy, may vote, whether on a show of hands or on a poll, by his committee or other legal guardian, and any such committee or guardian may, on a poll, vote by proxy.

63. No member shall be entitled to vote at any general meeting unless all calls or other sums presently payable by him in respect of shares in the company have been paid.

64. On a poll votes may be given either personally or by proxy: Provided that no company shall vote by proxy as long as a resolution of its directors in accordance with the provisions of section 80 of the Indian Companies Act, 1913, is in force.

65. The instrument appointing a proxy shall be in writing under the hand of the appointor or of his attorney duly authorised in writing, or, if the appointor is a corporation, either under the common seal, or under the hand of an officer or attorney so authorised. No person shall act as a proxy unless either he is entitled on his own behalf to be present and vote at the meeting at which he acts as proxy, or he has been appointed to act at that meeting as proxy for a corporation.

66. The instrument appointing a proxy and the power-of-attorney or other authority (if any) under which it is signed or a notarially certified copy of that power or authority shall be deposited at the registered office of the company not less than seventy-two hours before the time for holding the meeting at which the person named in the instrument proposes to vote, and in default the instrument of proxy shall not be treated as valid.

67. An instrument appointing a proxy may be in the following form, or in any other form which the directors shall approve :—

Company, Limited.

"I of in the district of , being a member of the Company, Limited, hereby appoint of as my proxy to vote for me and on my behalf at the [ordinary or extraordinary, as the case may be] general meeting of the company to be held on the day of and at any adjournment thereof."

Signed this day of

Directors.

68. The number of the directors and the names of the first directors shall be determined in writing by a majority of the subscribers of the memorandum of association.

The Indian Companies Act, 1913.

(*The First Schedule.*)

69. The remuneration of the directors shall from time to time be determined by the company in general meeting.

70. The qualification of a director shall be the holding of at least one share in the company, and it shall be his duty to comply with the provisions of section 85 of the Indian Companies Act, 1913.

Powers and duties of Directors.

71. The business of the company shall be managed by the directors, who may pay all expenses incurred in getting up and registering the company, and may exercise all such powers of the company as are not, by the Indian Companies Act, 1913, or any statutory modification thereof for the time being in force, or by these articles, required to be exercised by the company in general meeting, subject nevertheless to any regulation of these articles, to the provisions of the said Act, and to such regulations being not inconsistent with the aforesaid regulations or provisions, as may be prescribed by the company in general meeting; but no regulation made by the company in general meeting shall invalidate any prior act of the directors which would have been valid if that regulation had not been made.

72. The directors may from time to time appoint one or more of their body to the office of managing director or manager for such term, and at such remuneration (whether by way of salary, or commission, or participation in profits, or partly in one way and partly in another) as they may think fit, and a director so appointed shall not, while holding that office, be subject to retirement by rotation, or taken into account in determining the rotation of retirement of directors, but his appointment shall be subject to determination *ipso facto* if he ceases from any cause to be a director, or if the company in general meeting resolve that his tenure of the office of managing director or manager be determined.

73. The amount for the time being remaining undischarged of moneys borrowed or raised by the directors for the purposes of the company (otherwise than by the issue of share capital) shall not at any time exceed the issued share capital of the company without the sanction of the company in general meeting.

74. The directors shall duly comply with the provisions of the Indian Companies Act, 1913, or any statutory modification thereof for the time being in force, and in particular with the provisions in regard to the registration of the particulars of mortgages and charges affecting the property of the company or created by it, and to keeping a register of the directors, and to sending to the registrar an annual list of members, and a summary of particulars relating thereto and notice of any consolidation or increase of share capital, or conversion of shares into stock, and copies of special resolutions and a copy of the register of directors and notifications of any changes therein.

75. The directors shall cause minutes to be made in books provided for the purpose—

(*a*) of all appointments of officers made by the directors ;

(*b*) of the names of the directors present at each meeting of the directors and of any committee of the directors ;

(*c*) of all resolutions and proceedings at all meetings of the company, and, of the directors, and of committees of directors ;

and every director present at any meeting of directors or committee of directors shall sign his name in a book to be kept for that purpose.

The Seal.

76. The seal of the company shall not be affixed to any instrument except by the authority of a resolution of the board of directors, and in the presence of at least two directors and of the secretary or such other person as the directors may appoint for the purpose ; and those two directors and secretary or other person as aforesaid shall sign every instrument to which the seal of the company is so affixed in their presence.

Disqualifications of Directors.

77. The office of director shall be vacated if the director—

(*a*) ceases to be a director by virtue of section 85 of the Indian Companies Act, 1913 ; or

(*b*) holds or any partner of his, or the firm of which he is a member, holds any other office of profit under the company except that of managing director or manager ; or

(*c*) is adjudged insolvent ; or

(*d*) is found lunatic or becomes of unsound mind ; or

(*e*) is concerned or participates in the profit of any contract with the company ; or

(*f*) is punished with imprisonment for a term exceeding six months :

Provided, however, that no director shall vacate his office by reason of his being a member of any company which has entered into contracts with, or done any work for, the company of which he is director ; but a director shall not vote in respect of any such contract or work, and if he does so vote, his vote shall not be counted.

Rotation of Directors.

78. At the first ordinary meeting of the company, the whole of the directors shall retire from office, and at the ordinary meeting in every subsequent year, one-third of the directors for the time being or, if their number is not three or a multiple of three, then the number nearest to one-third shall retire from office.

79. The directors to retire in every year shall be those who have been longest in office since their last election, but as between persons who became directors on the same day those to retire shall (unless they otherwise agree among themselves) be determined by lot.

80. A retiring director shall be eligible for re-election.

81. The company at the general meeting at which a director retires in manner aforesaid may fill up the vacated office by electing a person thereto.

The Indian Companies Act, 1913.

(*The First Schedule.*)

82. If at any meeting at which an election of directors ought to take place, the places of the vacating directors are not filled up, the meeting shall stand adjourned till the same day in the next week at the same time and place, and, if at the adjourned meeting the places of the vacating directors are not filled up, the vacating directors or such of them as have not had their places filled up shall be deemed to have been re-elected at the adjourned meeting.

83. The company may from time to time in general meeting increase or reduce the number of directors, and may also determine in what rotation the increased or reduced number is to go out of office.

84. Any casual vacancy occurring on the board of directors may be filled up by the directors, but the person so chosen shall be subject to retirement at the same time as if he had become a director on the day on which the director in whose place he is appointed was last elected a director.

85. The directors shall have power at any time, and from time to time, to appoint a person as an additional director who shall retire from office at the next following ordinary general meeting, but shall be eligible for election by the company at that meeting as an additional director.

86. The company may by extraordinary resolution remove any director before the expiration of his period of office, and may by an ordinary resolution appoint another person in his stead; the person so appointed shall be subject to retirement at the same time as if he had become a director on the day on which the director in whose place he is appointed was last elected a director.

Proceedings of Directors.

87. The directors may meet together for the despatch of business, adjourn and otherwise regulate their meetings, as they think fit. Questions arising at any meeting shall be decided by a majority of votes. In case of an equality of votes, the chairman shall have a second or casting vote. A director may, and the secretary on the requisition of a director shall, at any time, summon a meeting of directors.

88. The quorum necessary for the transaction of the business of the directors may be fixed by the directors, and unless so fixed shall (when the number of directors exceeds three) be three.

89. The continuing directors may act notwithstanding any vacancy in their body, but, if and so long as their number is reduced below the number fixed by or pursuant to the regulations of the company as the necessary quorum of directors, the continuing directors may act for the purpose of increasing the number of directors to that number, or of summoning a general meeting of the company, but for no other purpose.

90. The directors may elect a chairman of their meetings and determine the period for which he is to hold office; but if no such chairman is elected, or if at any meeting the chairman is not present within five minutes after the time appointed for holding the same, the directors present may choose one of their number to be chairman of the meeting.

91. The directors may delegate any of their powers to committees consisting of such member or members of their body as they think fit; any committee so found shall, in the exercise of the powers so delegated, conform to any regulations that may be imposed on them by the directors.

92. A committee may elect a chairman of their meetings: if no such chairman is elected, or if at any meeting the chairman is not present within five minutes after the time appointed for holding the same, the members present may choose one of their number to be chairman of the meeting.

93. A committee may meet and adjourn as they think proper. Questions arising at any meeting shall be determined by a majority of votes of the members present, and, in case of an equality of votes, the chairman shall have a second or casting vote.

94. All acts done by any meeting of the directors or of a committee of directors, or by any person acting as a director, shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such directors or persons acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a director.

Dividends and Reserve.

95. The company in general meeting may declare dividends, but no dividends shall exceed the amount recommended by the directors.

96. The directors may from time to time pay to the members such interim dividends as appear to the directors to be justified by the profits of the company.

97. No dividends shall be paid otherwise than out of profits.

98. Subject to the rights of persons (if any) entitled to shares with special rights as to dividends, all dividends shall be declared and paid according to the amounts paid on the shares, but if and so long as nothing is paid up on any of the shares in the company, dividends may be declared and paid according to the amounts of the shares. No amount paid on a share in advance of calls shall, while carrying interest, be treated for the purposes of this article as paid on the share.

99. The directors may, before recommending any dividend, set aside out of the profits of the company such sums as they think proper as a reserve or reserves which shall, at the discretion of the directors, be applicable for meeting contingencies, or for equalizing dividends, or for any other purpose to which the profits of the company may be properly applied, and pending such application may, at the like discretion, either be employed in the business of the company or be invested in such investments (other than shares of the company) as the directors may from time to time think fit.

100. If several persons are registered as joint-holders of any share, any one of them may give effectual receipts for any dividend payable on the share.

101. Notice of any dividend that may have been declared shall be given in manner hereinafter mentioned to the persons entitled to share therein.

102. No dividend shall bear interest against the company.

The Indian Companies Act, 1913.

(*The First Schedule.*)

Accounts.

103. The directors shall cause true accounts to be kept—

(*a*) of the sums of money received and expended by the company, and the matter in respect of which such receipt and expenditure takes place; and

(*b*) of the assets and liabilities of the company.

104. The books of account shall be kept at the registered office of the company, or at such other place or places as the directors think fit, and shall always be open to the inspection of the directors.

105. The directors shall from time to time determine whether and to what extent and at what times and places and under what conditions or regulations the accounts and books of the company or any of them shall be open to the inspection of members not being directors, and no member (not being a director) shall have any right of inspecting any account or book or document of the company except as conferred by law or authorised by the directors or by the company in general meeting.

106. Once at least in every year the directors shall lay before the company in general meeting a profit and loss account for the period since the preceding account or (in the case of the first account) since the incorporation of the company, made up to a date not more than six months before such meeting.

107. The profit and loss account shall show, arranged under the most convenient heads, the amount of gross income, distinguishing the several sources from which it has been derived, and the amount of gross expenditure, distinguishing the expenses of the establishment, salaries and other like matters. Every item of expenditure fairly chargeable against the year's income shall be brought into account, so that a just balance of profit and loss may be laid before the meeting, and, in cases where any item of expenditure which may in fairness be distributed over several years has been incurred in any one year, the whole amount of such item shall be stated, with the addition of the reasons why only a portion of such expenditure is charged against the income of the year.

108. A balance-sheet shall be made out in every year and laid before the company in general meeting made up to a date not more than six months before such meeting. The balance-sheet shall be accompanied by a report of the directors as to the state of the company's affairs, and the amount which they recommend to be paid by way of dividend, and the amount (if any) which they propose to carry to a reserve fund.

109. A copy of the balance-sheet and report shall, seven days previously to the meeting, be sent to the persons entitled to receive notices of general meetings in the manner in which notices are to be given hereunder.

110. The directors shall in all respects comply with the provisions of sections 130 to 135 of the Indian Companies Act, 1913, or any statutory modification thereof for the time being in force.

Audit.

111. Auditors shall be appointed and their duties regulated in accordance with sections 144 and 145 of the Indian Companies Act, 1913, or any statutory modification thereof for the time being in force.

Notices.

112. (*1*) A notice may be given by the company to any member either personally or by sending it by post to him to his registered address, or (if he has no registered address in British India) to the address, if any, within British India supplied by him to the company for the giving of notices to him.

(*2*) Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the notice and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

113. If a member has no registered address in British India, and has not supplied to the company an address within British India for the giving of notices to him, a notice addressed to him and advertised in a newspaper circulating in the neighbourhood of the registered office of the company shall be deemed to be duly given to him on the day on which the advertisement appears.

114. A notice may be given by the company to the joint-holders of a share by giving the notice to the joint-holder named first in the register in respect of the share.

115. A notice may be given by the company to the persons entitled to a share in consequence of the death or insolvency of a member by sending it through the post in a prepaid letter addressed to them by name, or by the title of representatives of the deceased, or assignee of the insolvent or by any like description, at the address (if any) in British India supplied for the purpose by the persons claiming to be so entitled, or (until such an address has been so supplied) by giving the notice in any manner in which the same might have been given if the death or insolvency had not occurred.

116. Notice of every general meeting shall be given in some manner hereinbefore authorised to (*a*) every member of the company (including bearers of share-warrants) except those members who (having no registered address within British India) have not supplied to the company an address within British India for the giving of notices to them, and also to (*b*) every person entitled to a share in consequence of the death or insolvency of a member, who, but for his death or insolvency, would be entitled to receive notice of the meeting. No other persons shall be entitled to receive notices of general meetings.

The Indian Companies Act, 1913.

(*The First Schedule.*)

TABLE B.

(*See sections 249 and 262.*)

TABLE OF FEES TO BE PAID TO THE REGISTRAR.

I.—By a company having a share capital.

	Rs.	A.	P.
1. For registration of a company whose nominal share capital does not exceed Rs. 20,000, a fee of	40	0	0
2. For registration of a company whose nominal share capital exceeds Rs. 20,000, the above fee of forty rupees, with the following additional fees regulated according to the amount of nominal capital (that is to say)—			
For every 10,000 rupees of nominal share capital, or part of 10,000 rupees, after the first 20,000 rupees up to 50,000 rupees	20	0	0
For every 10,000 rupees of nominal share capital, or part of 10,000 rupees, after the first 50,000 rupees up to 10,00,000 rupees.	5	0	0
For every 10,000 rupees of nominal share capital, or part of 10,000 rupees, after the first 10,00,000 rupees ...	1	0	0

3. For registration of any increase of share capital made after the first registration of the company, the same fees per 10,000 rupees or, part of 10,000 rupees, as would have been payable if such increased share capital had formed part of the original share capital at the time of registration:

Provided that no company shall be liable to pay in respect of nominal share capital on registration, or afterwards, any greater amount of fees than 1,000 rupees taking into account, in the case of fees payable on an increase of share capital after registration, the fees paid on registration.

4. For registration of any existing company, except such companies as are by this Act, exempted from payment of fees in respect of registration under this Act, the same fee as is charged for registering a new company.

	Rs.	A.	P.
5. For filing any document by this Act required or authorised to be filed, other than the memorandum or the abstract required to be filed with the registrar by a receiver or the statement required to be filed with the registrar by the liquidator in a winding up	5	0	0
6. For making a record of any fact by this Act authorised or required to be recorded by the registrar, a fee of	5	0	0

II.—By a company not having a share capital.

	Rs.	A.	P.
1. For registration of a company whose number of members, as stated in the articles of association, does not exceed 20 ...	40	0	0
2. For registration of a company whose number of members, as stated in the articles of association, exceeds 20, but does not exceed 100	100	0	0
3. For registration of a company whose number of members, as stated in the articles of association, exceeds 100, but is not stated to be unlimited, the above fee of Rs. 100 with an additional Rs. 5 for every 50 members, or less number than 50 members, after the first 100.			
4. For registration of a company in which the number of members is stated in the articles of association to be unlimited, a fee of	400	0	0
5. For registration of any increase on the number of members made after the registration of the company, the same fees as would have been payable if such increase had been stated in the articles of association at the time of registration: . .	5	0	0

Provided that no one company shall be liable to pay on the whole a greater fee than Rs. 400 in respect of its number of members, taking into account the fee paid on the first registration of the company.

6. For registration of any existing company except such companies as are by this Act exempted from payment of fees in respect of registration under this Act, the same fee as is charged for registering a new company.

	Rs.	A.	P.
7. For filing any document by this Act required or authorised to be filed, other than the memorandum or the abstract required to be filed with the registrar by a receiver or the statement required to be filed with the registrar by the liquidator in a winding up . .	5	0	0
8. For making a record of any fact by this Act authorised or required to be recorded by the registrar, a fee of . . .	5	0	0

The Indian Companies Act, 1913.

(*The Second Schedule.*)

THE SECOND SCHEDULE.

(*See section 98.*)

STATEMENT IN LIEU OF PROSPECTUS.

filed by

LIMITED.

pursuant to section 98 of the Indian Companies Act, 1913.

Presented for filing by

THE INDIAN COMPANIES ACT, 19 .

LIMITED

STATEMENT IN LIEU OF PROSPECTUS.

The nominal share capital of the company.	Rs.
Divided into	Shares of Rs. each. " " " " " "
Names, descriptions and addresses of directors or proposed directors and of the managers or proposed managers.	
Minimum subscription (if any) fixed by the memorandum or articles of association on which the company may proceed to allotment.	
Number and amount of shares and debentures agreed to be issued as fully or partly paid up otherwise than in cash. The consideration for the intended issue of those shares and debentures.	1. shares of Rs. fully paid. 2. shares upon which Rs. per share credited as paid. 3. debenture Rs. 4. Consideration.
Names and addresses of (a) vendors of property purchased or acquired. (b) or proposed to be purchased or acquired by the company. Amount (in cash, shares or debentures) payable to each separate vendor.	
Amount (if any) paid or payable (in cash or shares or debentures) for any such property, specifying amount (if any)) paid or payable for goodwill.	Total purchase price . . Rs. Cash . . " Shares . . " Debentures . " Goodwill . . Rs.
Amount (if any) paid or payable as commission for subscribing or agreeing to subscribe or procuring or agreeing to procure subscriptions for any shares or debentures in the company or	Amount paid. " payable.
Rate of the commission . . .	Rate per cent.
Estimated amount of preliminary expenses.	Rs.
Amount paid or intended to be paid to any promoter. Consideration for the payment . .	Name of promoter Amount Rs. Consideration :—
Dates of, and parties to every material contract (other than contracts entered into in the ordinary course of the business intended to be carried on by the company or entered into more than two years before the filing of this statement).	
Time and place at which the contracts or copies thereof may be inspected.	
Names and addresses of the auditors of the company (if any).	
Full particulars of the nature and extent of the interest of every director in the promotion of or in the property proposed to be acquired by the company, or, where the interest of such a director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares, or otherwise by any person either to induce him to become, or to qualify him as a director, or otherwise for services rendered by him or by the firm in connection with the promotion or formation of the company.	
Whether the articles contain any provisions precluding holders of shares or debentures receiving and inspecting balance-sheets or reports of the auditors or other reports.	Nature of the provisions.

(Signature of the persons abovenamed as directors or proposed directors, or of their agents authorised in writing.)

(a) For definition of vendor, see section 94 of the Indian Companies Act, 1913.

(b) See section 95 of the Indian Companies Act, 1913.

The Indian Companies Act, 1913.

(The Third Schedule.)

THE THIRD SCHEDULE.

FORM A.

(*See sections 6 and 151.*)

MEMORANDUM OF ASSOCIATION OF A COMPANY LIMITED BY SHARES.

1st.—The name of the company is "The Eastern Steam Packet Company, Limited."

2nd.—The registered office of the company will be situate in the province of Bombay.

3rd.—The objects for which the company is established are "the conveyance of passengers and goods in ships or boats between such places as the company may from time to time determine, and the doing all such other things as are incidental or conducive to the attainment of the above object."

4th.—The liability of the members is limited.

5th.—The share capital of the company is two hundred thousand rupees, divided into one thousand shares of two hundred rupees each.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a company in pursuance of this memorandum of association, and we respectively agree to take the number of shares in the capital of the company set opposite our respective names.

Names, addresses and descriptions of subscribers.	Number of shares taken by each subscriber.
1. A. B. of, merchant	200
2. C. D., " "	25
3. E. F., " "	30
4. G. H., " "	40
5. I. J., " "	15
6. K. L., " "	5
7. M. N., " "	10
Total shares taken	325

Dated the day of 19 .

Witness to the above signatures,

X. Y., of

FORM B.

(*See sections 7 and 151.*)

MEMORANDUM AND ARTICLES OF ASSOCIATION OF A COMPANY LIMITED BY GUARANTEE, AND NOT HAVING A SHARE CAPITAL.

Memorandum of Association.

1st.—The name of the company is "The Mutual Calcutta Marine Association, Limited."

2nd.—The registered office of the company will be situate in Calcutta.

3rd.—The objects for which the company is established are "the mutual insurance of ships belonging to members of the company, and the doing all such other things as are incidental or conducive to the attainment of the above object."

4th.—The liability of the members is limited.

5th.—Every member of the company undertakes to contribute to the assets of the company in the event of its being wound up while he is a member, or within one year afterwards, for payment of the debts and liabilities of the company contracted before he ceases to be a member, and the costs, charges and expenses of winding up and for the adjustment of the rights of the contributories among themselves, such amount as may be required not exceeding one hundred rupees.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a company, in pursuance of this memorandum of association.

Names, Addresses and Descriptions of Subscribers.

"1. A. B. of
"2. C. D. of
"3. E. F. of
"4. G. H. of
"5. I. J. of
"6. K. L. of
"7. M. N. of

Dated the day of

Witness to the above signatures.

X. Y., of

ARTICLES OF ASSOCIATION TO ACCOMPANY PRECEDING MEMORANDUM OF ASSOCIATION.

Number of Members.

1. The company for the purpose of registration is declared to consist of five hundred members.

2. The directors hereinafter mentioned may, whenever the business or the association requires it, register an increase of members.

Definition of Members.

3. Every person shall be deemed to have agreed to become a member of the company who insures any ship or share in a ship in pursuance of the regulations hereinafter contained.

General Meetings.

4. The first general meeting shall be held at such time, not being less than one month nor more than three months after the incorporation of the company, and at such place, as the directors may determine.

The Indian Companies Act, 1913.

(*The Third Schedule.*)

5. A general meeting shall be held once in every year at such time (not being more than fifteen months after the holding of the last preceding general meeting) and place as may be prescribed by the company in general meeting, or, in default, at such time in the month following that in which the anniversary of the company's incorporation occurs, and at such place, as the directors shall appoint. In default of a general meeting being so held, a general meeting shall be held in the month next following, and may be called by any two members in the same manner as nearly as possible as that in which meetings are to be called by the directors.

6. The above-mentioned general meetings shall be called ordinary meetings; all other general meetings shall be called extraordinary.

7. The directors may, whenever they think fit, and shall, on a requisition made in writing by any five or more members, call an extraordinary general meeting.

8. Any requisition made by the members must state the object of the meeting proposed to be called, and must be signed by the requisitionists and deposited at the registered office of the company.

9. On receipt of the requisition the directors shall forthwith proceed to call a general meeting: if they do not proceed to cause a meeting to be held within twenty-one days from the date of the requisition being so deposited, the requisitionists or any other five members may themselves call a meeting.

Proceedings at General Meetings.

10. Fourteen days' notice at the least, specifying the place, the day and the hour of meeting, and in case of special business the general nature of the business, shall be given to the members in manner hereinafter mentioned, or in such other manner (if any) as may be prescribed by the company in general meeting; but the non-receipt of such a notice by any member shall not invalidate the proceedings at any general meeting.

11. All business shall be deemed special that is transacted at an extraordinary meeting, and all that is transacted at an ordinary meeting, with the exception of the consideration of the accounts, balance-sheets and the ordinary report of the directors and auditors, the election of directors and other officers in the place of those retiring by rotation, and the fixing of remuneration of the auditors.

12. No business shall be transacted at any meeting except the declaration of a dividend, unless a quorum of members is present at the commencement of the business. The quorum shall be ascertained as follows (that is to say):—if the members of the company at the time of the meeting do not exceed ten in number, the quorum shall be five; if they exceed ten, there shall be added to the above quorum one for every five additional members with this limitation, that no quorum shall in any case exceed ten.

13. If within one hour from the time appointed for the meeting a quorum of members is not present, the meeting, if called on the requisition of the members, shall be dissolved; in any other case it shall stand adjourned to the same day in the following week at the same time and place; and if at such adjourned meeting a quorum of members is not present, it shall be adjourned *sine die.*

14. The chairman (if any) of the directors shall preside as chairman at every general meeting of the company.

15. If there is no such chairman, or if at any meeting he is not present at the time of holding the same, the members present shall choose some one of their number to be chairman of that meeting.

16. The chairman may, with the consent of the meeting, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

17. At any general meeting, unless a poll is demanded by at least three members, a declaration by the chairman that a resolution has been carried, and an entry to that effect in the book of proceedings of the company, shall be conclusive evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against the resolution.

18. If a poll is demanded in manner aforesaid, the same shall be taken in such manner as the chairman directs, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

Votes of Members.

19. Every member shall have one vote and no more.

20. If any member is a lunatic or idiot, he may vote by his committee or other legal guardian.

21. No member shall be entitled to vote at any meeting unless all moneys due from him to the company have been paid.

22. On a poll votes may be given either personally or by proxy: Provided that no company shall vote by proxy as long as a resolution of its directors in accordance with the provisions of section 80 of the Indian Companies Act, 1913, is in force. A proxy shall be appointed in writing under the hand of the appointor, or, if such appointor is a corporation, under its common seal.

23. (*1*) No person shall act as a proxy unless he is a member, or unless he is appointed to act at the meeting as proxy for a corporation.

(*2*) The instrument appointing him shall be deposited at the registered office of the company not less than forty-eight hours before the time of holding the meeting at which he proposes to vote.

24. Any instrument appointing a proxy shall be in the following form:—

Company, Limited,

I, , of being a Member of the Company, Limited, hereby appoint of as my proxy, to vote for me and on my behalf at the [ordinary or extraordi-

The Indian Companies Act, 1913.

(The Third Schedule.)

nary, as the case may be] general meeting of the company to be held on the day of and at any adjournment thereof.

Signed this day of

Directors.

25. The number of the directors and the names of the first directors shall be determined by the subscribers of the memorandum of association.

26. Until directors are appointed, the subscribers of the memorandum of association shall, for all the purposes of the Indian Companies Act, 1913, be deemed to be directors.

Powers of Directors.

27. The business of the company shall be managed by the directors, who may exercise all such powers of the company as are not by the Indian Companies Act, 1913, or by any statutory modification thereof for the time being in force, or by these articles, required to be exercised by the company in general meeting; but no regulation made by the company in general meeting shall invalidate any prior act of the directors which would have been valid if that regulation had not been made.

Elections of Directors.

28. The directors shall be elected annually by the company in general meeting.

Business of Company.

(Here insert *rules as to mode in which business of insurance is to be conducted.*)

Audit.

29. Auditors shall be appointed and their duties regulated in accordance with sections 144 and 145 of the Indian Companies Act, 1913, or any statutory modification thereof for the time being in force, and for this purpose the said sections shall have effect as if the word "members" were substituted for "shareholders," and as if "first general meeting" were substituted for "statutory meeting."

Notices.

30. A notice may be given by the company to any member either personally, or by sending it by post to him to his registered address.

31. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the notice and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

Names, Addresses and Descriptions of Subscribers.

"1. A. B. of

"2. C. D. of

"3. E. F. of

"4. G. H. of

'5 I. J. of

"6. K. L of

"7. M. N. of

Dated the day of 19 .

Witness to the above signatures.

X. Y., of .

FORM C.

(See sections 7 and 151.)

MEMORANDUM AND ARTICLES OF ASSOCIATION OF A COMPANY LIMITED BY GUARANTEE, AND HAVING A SHARE CAPITAL.

Memorandum of Association.

1st.—The name of the company is "The Snowy Range Hotel Company, Limited."

2nd.—The registered office of the company will be situate in the province of Bengal.

3rd.—The objects for which the company is established are "the facilitating travelling in the Snowy Range, by providing hotels and conveyances by sea and by land for the accommodation of travellers, and the doing all such other things as are incidental or conducive to the attainment of the above object."

4th.—The liability of the members is limited.

5th.—Every member of the company undertakes to contribute to the assets of the company in the event of its being wound up while he is a member, or within one year afterwards, for payment of the debts and liabilities of the company, contracted before he ceases to be a member, and the costs, charges and expenses of winding up the same and for the adjustment of the rights of the contributories amongst themselves, such amount as may be required, not exceeding fifty rupees.

6th.—The share capital of the company shall consist of five hundred thousand rupees, divided into five thousand shares of one hundred rupees each.

We, the several persons whose names and addresses are subscribed, are desirous of being formed into a company, in pursuance of the

The Indian Companies Act, 1913.

(The Third Schedule.)

memorandum of association, and we respectively agree to take the number of shares in the capital of the company set opposite our respective names.

Names, Addresses and Descriptions of Subscribers.	Number of shares taken by each Subscriber.
"1. A. B. of	200
"2. C. D. of	25
"3. E. F. of	30
"4. G. H. of	40
"5. I. J. of	15
"6. K. L. of	5
"7. M. N. of	10
Total shares taken ...	325

Dated the *day of* 19 .

Witness to the above signatures.

X. Y., of

Articles of Association to accompany preceding Memorandum of Association.

1. The share capital of the company is five hundred thousand rupees, divided into five thousand shares of one hundred rupees each.

2. The directors may, with the sanction of the company in general meeting, reduce the amount of shares in the company.

3. The directors may, with the sanction of the company in general meeting, cancel any shares belonging to the company.

4. All the articles of Table A of the Indian Companies Act, 1913, shall be deemed to be incorporated with these articles and to apply to the company.

Names, Addresses and Descriptions of Subscribers.

"1. A. B. of , merchant.
"2. C. D. of
"3. E. F. of
"4. G. H. of
"5. I. J. of
"6. K. L. of
"7. M. N. of

Dated the *day of* 19 .

Witness to the above signatures.

X. Y., of

FORM D.

(See sections 8 and 151.)

MEMORANDUM AND ARTICLES OF ASSOCIATION OF AN UNLIMITED COMPANY HAVING A SHARE CAPITAL.

Memorandum of Association.

1st.—The name of the company is "The Patent Stereotype Company."

2nd.—The registered office of the company will be situate in the province of Bombay.

3rd.—The objects for which the company is established are "the working of a patent method of founding and casting stereotype plates of which method P. Q. of Bombay is the sole patentee."

We, the several persons whose names are subscribed, are desirous of being formed into a company in pursuance of this memorandum of association, and we respectively agree to take the number of shares in the capital of the company set opposite our respective names.

Names, Addresses and Descriptions of Subscribers.	Number of shares taken by each Subscriber.
"1. A. B. of	3
"2. C. D. of	2
"3. E. F. of	1
"4 G. H. of	2
"5. I. J. of	2
"6. K. L. of	1
"7. M. N. of	1
Total shares taken ...	12

Dated the *day of* 19 .

Witness to the above signatures

X. Y., of

Articles of Association to accompany the preceding Memorandum of Association.

1. The share capital of the company is twenty thousand rupees, divided into twenty shares of one thousand rupees each.

2. All the articles of Table A of the Indian Companies Act, 1913, shall be deemed to be incorporated with these articles, and to apply to the company

Names, Addresses and Descriptions of Subscribers.

"1. A. B. of , merchant.
"2. C. D. of
"3 E. F. of
"4. G. H. of
"5. I. J. of
"6. K L. of
"7. M. N. of

Dated the *day of* 19

Witness to the above signatures.

X. Y., of

The Indian Companies Act, 1913.

(*The Third Schedule.*)

FORM E.

AS REQUIRED BY PART II OF THE ACT.

(*See section 32.*)

Summary of Share Capital and Shares of the Company, Limited, made up to the day of 19 (being the day of the first ordinary general meeting in 19).

Nominal share capital Rs. divided into* { shares of Rs. each. / shares of Rs. each.

Total number of shares taken up* to the day of 19 which number must agree with the total shown in the list as held by existing members.

Number of shares issued subject to payment wholly in cash.

Number of shares issued as fully paid up otherwise than in cash ... ...

Number of shares issued as partly paid up to the extent of per share otherwise than in cash...

† There has been called up on each—of shares ... Rs.
There has been called up on each—of shares ... Rs.
There has been called up on each—of shares ... Rs.

‡ Total amount of calls received, including payments on application and allotment } Rs.

Total amount (if any) agreed to be considered as paid on shares which have been issued as fully paid up otherwise than in cash } Rs.

Total amount (if any) agreed to be considered as paid on shares which have been issued as partly paid up to the extent of per share } Rs.

Total amount of calls unpaid ... ... Rs.

Total amount (if any) of sums paid by way of commission in respect of shares or debentures or allowed by way of discount since date of last summary ... ... } Rs.

Total amount (if any) paid on §shares forfeited... ... ... } Rs.

Total amount of shares and stock for which share-warrants are outstanding ... } Rs.

Total amount of share-warrants issued and surrendered respectively since date of last summary ... ... } Rs.

Number of shares or amount of stock comprised in each share-warrant... ... } Rs.

Total amount of debt due from the company in respect of all mortgages and charges which are required to be registered with the registrar under this Act ... ... } Rs.

*When there are shares of different kinds or amounts (*e.g.*, Preference and Ordinary or Rs. 200 or Rs. 100), state the numbers and nominal values separately.

†Where various amounts have been called or there are shares of different kinds, state them separately.

‡Include what has been received on forfeited as well as on existing shares.

§State the aggregate number of shares forefeited.

List of Persons holding shares in the Company Limited, on the day of 19 , and of persons who have held shares herein at any time since the date of the last return, showing their names and addresses and an account of the shares so held.

Folio in register ledger containing particulars.	NAMES, ADDRESSES AND OCCUPATIONS.				ACCOUNT OF SHARES.					
	Name in ful	Father's name	Address.	Occupation or caste.	* Number of Shares held by existing Members at Date of Return.	§ PARTICULARS OF SHARES TRANSFERRED SINCE THE DATE OF THE LAST RETURN BY PERSONS WHO ARE STILL MEMBERS.		§ PARTICULARS OF SHARES TRANSFERRED SINCE THE DATE OF THE LAST RETURN BY PERSONS WHO HAVE CEASED TO BE MEMBERS.		Remarks.
						Number.†	Date of Registration of Transfer.	Number.‡	Date of Registration of Transfer.	

* State the aggregate number of shares forfeited (if any).

† The aggregate number of shares held, and not the distinctive numbers, must be stated, and the column must be added up throughout so as to make one total to agree with that stated in the summary to have been taken up.

‡ When the shares are of different classes, these columns may be sub-divided so that the number of each class held or transferred may be shown separately.

§ The date of registration of each transfer should be given as well as the number of shares transferred on each date. The particulars should be placed opposite the name of the transferor and not opposite that of the transferee, but the name of the transferee may be inserted in the Remarks column immediately opposite the particulars of each transfer.

Names and addresses of the persons who are the Directors of the , Limited, on the day of 19

Names.	Addresses.

Names and addresses of the persons who are the managers of the , Limited, on the day of 19 .

Names.	Addresses.

NOTE.—Banking companies must add a list of all their places of business.

I, do hereby certify that the above list and summary truly and correctly state the facts as they stood on day of 19 .

(Signature)__________

(State whether director, manager or secretary.)

The Indian Companies Act, 1913.

(*The Third Schedule.*)

FORM F.

(*See section 132.*)

______________________________ LIMITED.

Balance-sheet as at ________________________ *19* .

CAPITAL AND LIABILITIES.	Rs.	As.	P.	Rs.	As.	P.
Capital— Authorised Capital...shares of Rs. ... each.	...	...	...			
Issued Capital...shares of Rs....... each	...	...	...			
Subscribed Capital...shares of Rs.... each	...	...	...			
Amount called up at Rs.........per share	...	...	...			
Less—Calls unpaid . . .	...	...	...			
	...	...	...			
Add—Forfeited shares (amount paid up)	...	...	...	...	...	...
RESERVE FUND OR DEVELOPMENT FUND				...	...	...
ANY SINKING FUND . . .				...	...	...
ANY OTHER FUND CREATED OUT OF THE PROFITS				...	...	...
ANY PENSION OR INSURANCE FUND .				...	...	...
PROVISION FOR BAD AND DOUBTFUL DEBTS				...	...	...
LOANS ON MORTGAGE OR MORTGAGE DEBENTURE BONDS.				...	...	...
LOANS OTHERWISE SECURED . . (Stating the nature of security)				...	...	...
LOANS UNSECURED.						
INTEREST . . . . Accrued on Mortgages, Debentures or other Secured Loans.				...	...	...
UNCLAIMED DIVIDENDS . . .				...	...	...
LIABILITIES . . .				...	...	...
For Goods supplied . . .	...	...	...			
" Expenses	...	...	...			
" Acceptances . . .	...	...	...			
" Other Finance . . .	...	...	...			
ADVANCE PAYMENTS AND UNEXPIRED DISCOUNTS. (For the portion for which value has still to be given, *e.g.*, in the case of the following classes of Companies—Newspaper, Fire Insurance, Theatre, Club, Banking, Steamship Companies, &c.)				...	...	...
PROFIT AND LOSS				...	...	...
Balance as per previous Balance Sheet.	...	...	...			
Less—appropriation thereof .	...	...	...			
Balance brought forward . .	...	...	...			
Profit since last Balance Sheet .	...	...	...			
(N.B.—These details need not be given if the same be contained in a Profit and Loss account attached to the Balance Sheet.)						
				...	...	...
CONTINGENT LIABILITIES— Claims against the Company not acknowledged as debts.	...	...	...			
Moneys for which the Company is contingently liable.	...	...	...			
Arrears of Cumulative Preference Dividends.	...	...	...			

PROPERTY AND ASSETS.	Rs.	As.	P.	Rs.	As.	P.
FIXED CAPITAL EXPENDITURE . . (Distinguishing as far as possible between expenditure upon goodwill, land, buildings, leaseholds, railway sidings, plant, machinery, furniture, development of property, patents, trade marks and designs, interest paid out of Capital during construction, etc., and stating in every case the original cost and the total Depreciation written off under each head.)				...	...	...
PRELIMINARY EXPENSES . . .				...	...	...
COMMISSION OR BROKERAGE . .				...	...	...
(Commission or Brokerage paid for underwriting or placing shares or debentures until written off.)				...	...	...
				...	...	...
STORES AND SPARE GEAR . .				...	...	...
LOOSE TOOLS				...	...	...
LIVE STOCK				...	...	...
STOCK IN TRADE . . . . (Stating mode of valuation, *e.g.*, cost or market-value.)				...	...	...
BILLS OF EXCHANGE . . .				...	...	...
BOOK DEBTS				...	...	...
(Distinguishing in the case of a Bank between those considered good and in respect of which the Bank is fully secured and those considered good for which the Bank holds no security other than the debtor's personal security, and distinguishing in all cases between debts considered good and debts considered doubtful or bad. Debts due by Directors or other officers of the company or any of them either severally or jointly with any other persons to be separately stated in all cases.)						
ADVANCES				...	...	...
(Recoverable in cash or in kind or for value to be received, *e.g.*, Rates, Taxes, Insurance, etc.)						
INVESTMENTS				...	...	...
(Nature of Investment and mode of valuation, *e.g.*, cost or market-value.)						
INTEREST ACCRUED ON INVESTMENTS				...	...	...
CASH AND OTHER BALANCES . .				...	...	...
Amount in hand	...	...	...			
Balances with Agents and Bankers (in detail showing whether on Deposit or current account, etc.)	...	...	...			
				...	...	...
Profit and Loss (giving, in the case of a debit balance, details as far as possible as in the case of a credit balance.)						
				...	...	...

The Indian Companies Act, 1913.

(*The Third Schedule*)—*concld.*

FORM G.

(*See section 136.*)

FORM OF STATEMENT TO BE PUBLISHED BY BANKING AND INSURANCE COMPANIES AND DEPOSIT, PROVIDENT, OR BENEFIT SOCIETIES.

* The share capital of the company is Rs. divided into shares of each

The number of shares issued is
Calls to the amount of Rs. per share have been made, under which the sum of Rs. has been received.

The liabilities of the company on the thirty-first day of December (or thirtieth of June) were:—

Debts owing to sundry persons by the company

Under decree, Rs.

On mortgages or bonds, Rs.

On notes, bills or hundis, Rs.

On other contracts, Rs.

On estimated liabilities, Rs.

The assets of the company on that day were:

Government securities [stating them], Rs.

Bills of exchange, hundis and promissory notes, Rs.

Cash at the Bankers, Rs.

Other securities, Rs.

* If the company has no capital divided into shares, the portion of the statement relating to capital and share must be omitted.

The Indian Companies Act, 1913.

(The Fourth Schedule.)

THE FOURTH SCHEDULE.

(See section 290.)

ENACTMENTS REPEALED.

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1882 ...	VI	The Indian Companies Act, 1882	So much as has not been repealed.
1887 ...	VI	The Indian Companies Act (1882) Amendment Act, 1887	The whole.
1891 ...	XII	The Amending Act, 1891	So much of the Second Schedule as relates to the Indian Companies Act, 1882.
1895 ...	XII	The Indian Companies (Memorandum of Association) Act, 1895.	The whole.
1899 ...	IX	The Indian Arbitration Act, 1899	The second proviso to section 3 relating to the Indian Companies Act, 1882.
1900 ...	IV	The Indian Companies (Branch Registers) Act, 1900 ...	The whole.
1910 ...	IV	The Indian Companies (Amendment) Act, 1910 ...	The whole.

W. H. VINCENT,

Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Governor General of India in Council received the assent of the Governor General on the 27th March, 1913, and is hereby promulgated for general information :—

ACT NO. VIII OF 1913.

An Act further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898.

WHEREAS it is expedient further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898; It is hereby enacted as follows :— XLV of 1860. V of 1898.

Short title.

1. This Act may be called the Indian Criminal Law Amendment Act, 1913.

Amendment of section 40, Indian Penal Code.

2. In section 40 of the Indian Penal Code, after the word and figures "Chapter IV", the word, figure and letter "Chapter VA" shall be inserted. XLV of 1860.

Insertion of new Chapter in the Indian Penal Code.

3. After Chapter V of the said Code, the following Chapter shall be inserted, namely :—

"CHAPTER VA.

CRIMINAL CONSPIRACY.

Definition of criminal conspiracy.

120A. When two or more persons agree to do, or cause to be done, —

(1) an illegal act, or

(2) an act which is not illegal by illegal means, such an agreement is designated a criminal conspiracy :

Provided that no agreement except an agreement to commit an offence shall amount to a criminal conspiracy unless some act besides the agreement is done by one or more parties to such agreement in pursuance thereof.

Explanation.—It is immaterial whether the illegal act is the ultimate object of such agreement, or is merely incidental to that object.

Punishment of criminal conspiracy.

120B. (*1*) Whoever is a party to a criminal conspiracy to commit an offence punishable with death, transportation or rigorous imprisonment for a term of two years or upwards, shall, where no express provision is made in this Code for the punishment of such a conspiracy, be punished in the same manner as if he had abetted such offence.

(*2*) Whoever is a party to a criminal conspiracy other than a criminal conspiracy to commit an offence punishable as aforesaid shall be punished with imprisonment of either description for a term not exceeding six months, or with fine or with both."

Amendment of section 195, Code of Criminal Procedure, 1898.

4. In section 195, sub-section (*3*), of the Code of Criminal Procedure, 1898, before the words "the abetment", the words "criminal conspiracies to commit such offences and to" shall be inserted. V of 1898.

Insertion of new section 196A in Code of Criminal Procedure, 1898.

5. After section 196 of the Code (of Criminal Procedure, 1898), the following section shall be inserted, namely :— V of 1898.

Prosecution for certain classes of criminal conspiracy.

"196A. No Court shall take cognizance of the offence of criminal conspiracy punishable under section 120B of the Indian Penal Code, XLV of 1860.

(*1*) in a case where the object of the conspiracy is to commit either an illegal act other than an offence, or a legal act by illegal means, or an offence to which the provisions of section 196 apply, unless upon complaint made by order or under authority from the Governor General in Council, the Local Government or some officer empowered by the Governor General in Council in this behalf, or

(*2*) in a case where the object of the conspiracy is to commit any non-cognizable offence, or a cognizable offence not punishable with death, transportation or rigorous imprisonment for a term of two years or upwards unless the Local Government, or a Chief Presidency Magistrate or District Magistrate empowered in this behalf by the Local Government has, by order in writing, consented to the initiation of the proceedings :

Provided that where the criminal conspiracy is one to which the provisions of sub-section (*3*) of section 195 apply no such consent shall be necessary.

Amendment of Schedule II of the Code of Criminal Procedure, 1898.

6. In Schedule II of the Code (of Criminal Procedure, 1898), after the entries relating to Chapter V, the entries contained in the Schedule hereto annexed shall be inserted. V of 1898.

IV K

SCHEDULE.

"CHAPTER VA.

Criminal Conspiracy.

1	2	3	4	5	6	7	8
120B.	Criminal conspiracy to commit an offence punishable with death, transportation or rigorous imprisonment for a term of two years or upwards.	May arrest without warrant if arrest for the offence which is the object of the conspiracy may be made without warrant, but not otherwise.	According as a warrant or summons may issue for the offence which is the object of the conspiracy.	According as the offence which is the object of the conspiracy is bailable or not.	Not compoundable.	The same punishment as that provided for the abetment of the offence which is the object of the conspiracy.	Court of [illegible] when [illegible] offe[illegible] the [illegible] the [illegible] is triable [illegible] sively by [illegible] Court; [illegible] case of [illegible] other [illegible] Court of [illegible] sion, Presidency Magistrate [illegible] Magistrate of the first class.
	Any other criminal conspiracy.	Shall not arrest without a warrant.	Summons.	Bailable.	Ditto.	Imprisonment of either description for six months and fine or both.	Presidency Magistrate or Magistrate of the first class."

W. H. VINCENT,

Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MAY 2, 1913.

PART IV

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 23.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 25th April, 1913.

No. 38.—The Governor General has been pleased, under Rule 23 of the Rules for the conduct of the Legislative Business of the Council of the Governor General, to order the publication in English in the Gazette of India and in the local official Gazettes of the following Bill, together with the Statement of Objects and Reasons relating thereto, and the Bill and Statement of Objects and Reasons are accordingly hereby published for general information :—

No. 3 OF 1913.

A Bill to amend the Indian Companies Act, 1913.

WHEREAS it is expedient to amend the Indian Companies Act, 1913 : It is hereby enacted as follows :—

Short title.

1. This Act may be called the Indian Companies (Amendment) Act, 1913.

Insertion of new sections 83A, 83B, and 83C in Indian Companies Act, 1913.

2. After section 83 of the Indian Companies Act, 1913 (hereinafter referred to as the said Act), the following heading and sections shall be inserted, namely :—

" *Directors.*

Directors obligatory.

83A. Every company other than a private company shall have a director or directors.

Appointment of directors.

83B. In default of and subject to any regulations in the articles of a company other than a private company—

(*i*) the subscribers of the memorandum shall be deemed to be the directors of the company until the first directors shall have been appointed ;

(*ii*) the directors of the company shall be appointed by the members in general meeting ; and

(*iii*) any casual vacancy occurring among the directors may be filled for the remainder of the term by the continuing directors.

Majority of directors to be persons not members of managing firm.

83C. When a firm is manager of a company other than a private company then, notwithstanding anything in the articles of the company, there shall be not less than three

directors of the company, and the majority of such directors shall be persons who are not members of such firm:

Provided that this section shall not apply to a company limited by shares as long as such firm or the members thereof hold as sole absolute beneficial owners and not merely as trustees not less than three-fourths of the total number of the shares in the company which confer on the holder the right to vote at a general meeting of the company."

Insertion of new sections 91A and 91B in Indian Companies Act, 1913.

3. After section 91 of the said Act, the following sections shall be inserted, namely:—

Disclosure of interest of directors in contracts made by a company.

"**91A.** (*1*) When by the articles of a company a director is permitted to contract with the company, such director, if he is directly or indirectly concerned or interested in any contract or arrangement entered into by or on behalf of the company, shall disclose the nature of his interest at the meeting of the directors at which the contract or arrangement is determined on if his interest then exists, or in any other case at the first meeting of the directors after the acquisition of his interest or the making of the contract or arrangement, and no such director shall as a director vote in respect of any such contract or arrangement; and if he does so vote, his vote shall not be counted.

(*2*) If in such a case a company enters into a contract for the appointment of a manager in which contract any director of the company is directly or indirectly concerned or interested, or varies any such existing contract, the company shall send an abstract of the terms of such contract or variation, as the case may be, together with a memorandum clearly indicating the nature of the interest of the director in such contract, or in such variation, to every member and the contract shall be open to the inspection of any member at the registered office of the company.

(*3*) If a company makes default in complying with the requirements of sub-section (*2*), it shall be liable to a fine not exceeding one thousand rupees, and every officer of the company who knowingly and wilfully authorises or permits the default, shall be liable to the like penalty.

Contracts by agents of company in which company is undisclosed principal.

91B. (*1*) Every manager or other agent of a company other than a private company who enters into a contract for or on behalf of the company in which contract the company is an undisclosed principal shall, at the time of entering into the contract, make a memorandum in writing of the terms of the contract, and specify therein the person with whom it has been made.

(*2*) Every such manager or other agent shall forthwith deliver the memorandum aforesaid to the company, and such memorandum shall be filed in the office of the company and laid before the directors at the next directors' meeting.

(*3*) If any such manager or other agent makes default in complying with the requirements of this section—

(*a*) the contract shall, at the option of the company, be void as against the company, and

(*b*) such agent shall be liable to a fine not exceeding two hundred rupees."

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to supplement the Indian Companies Act, 1913, in respect of certain matters relating to the internal management of companies. This supplemental legislation was considered desirable by the Select Committee of the latter Bill in view of the system, to a large extent peculiar to India, by which some companies are managed by firms of Managing Agents whose relationship to the companies they manage is different from that of a director to his company in England. The Select Committee was of opinion that, in view of the intrinsic importance of these provisions and the fact that they had not been formally before the country, they should be circulated before taking their place in the law. The provisions of this Bill are designed to secure firstly, that every company should have Directors; secondly, that the majority of the directors of every company shall be independent of the Managing Agents, exception being made in the case of private companies and of companies in which the Managing Agents themselves hold a predominant voting power; thirdly, that interested directors shall disclose their interest in contracts to the other directors, and, in the case of contracts appointing Managing Agents, or any variations of such contracts, to the shareholders; fourthly, that in the case of contracts by agents of a company, other than a private company, in which the company is an undisclosed principal, a memorandum in writing of the terms of the contract shall be made and communicated to the company. It is proposed that this Bill should come into operation on the same date as the Indian Companies Act, 1913, namely, on the 1st April, 1914.

W. H. CLARK.

The 25th April 1913.

W. H. VINCENT,

Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MAY 23, 1913.

PART IV.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 23.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 15th May, 1913.

No. 42.—The Governor General has been pleased, under Rule 23 of the Rules for the conduct of the Legislative Business of the Council of the Governor General, to order the publication in the Gazette of India and in the local gazettes in English of the following Bill, together with the Statement of Objects and Reasons relating thereto, and the Bill and Statement of Objects and Reasons are accordingly hereby published for general information :—

No. 4 OF 1913.

A Bill further to amend the Indian Telegraph Act, 1885.

XIII, 1885. WHEREAS it is expedient further to amend the Indian Telegraph Act, 1885 ; It is hereby enacted as follows :—

Short title. 1. This Act may be called the Indian Telegraph (Amendment) Act, 191 .

XIII, 1885. Substitution of new sub-section for section 1 (2), Act XIII, 1885. 2. For sub-section (2) of section 1 of the Indian Telegraph Act, 1885 (hereinafter called the said Act), the following shall be substituted, namely :—

"(2) It extends to the whole of British India, including the Sonthal Parganas, British Baluchistan, and the pargana of Spiti, and it applies also to—

(a) all Native Indian subjects of His Majesty in any place without and beyond British India,

(b) all other British subjects within the territories of any Native State in India, and

(c) all servants of the King, whether British subjects or not, within the territories of any Native State in India."

Amendment of section 3 of the said Act. 3. In clause (1) of section 3 of the said Act for the words " transmitting or making," the words " making, transmitting or receiving " shall be substituted.

Addition of further proviso and sub-section (2) to section 4 of the said Act.

4. Section 4 of the said Act shall be renumbered section 4 (*1*) and to the said section the following proviso and sub-section shall be added, namely :—

"Provided further that the Governor General in Council may, by rules made under this Act, permit, subject to such restrictions and conditions as he thinks fit, the establishment, maintenance and working of wireless telegraphs on ships within Indian territorial waters.

Power of Governor General in Council to delegate powers to grant licenses.

"(2) The Governor General in Council may, by notification in the Gazette of India, delegate to the telegraph authority all or any of his powers to grant licenses under the first proviso to sub-section (*1*). The exercise by the telegraph authority of any power so delegated shall be subject to such restrictions and conditions as the Governor General in Council may, by the notification, think fit to impose."

Insertion of new sections 19A and 19B after section 19 of the said Act.

5. After section 19 of the said Act the following sections shall be inserted, namely :—

Person exercising legal right likely to damage telegraph line or post to give notice.

"19A. (*1*) Any person desiring to deal in the legal exercise of a right with any property in such a manner as will cause, or is likely to cause, damage to a telegraph line or post which has been duly placed in accordance with the provisions of this Act, or to interrupt or interfere with telegraphic communication, shall give not less than one month's notice in writing to the telegraph authority of the intended exercise of such right.

"(2) If any person having omitted to give the notice required by sub-section (*1*) deals with any such property in such a manner as is likely to cause damage to any telegraph line or post, or to interrupt or interfere with telegraphic communication, a Magistrate of the first or second class may, on the application of the telegraph authority, direct such person to abstain from dealing with such property in such manner and to take such order with regard to such property as may be in the opinion of the Magistrate necessary to remedy or prevent such damage, interruption or interference.

Power to confer upon licensee powers of telegraph authority under this Part.

"19B. The Governor General in Council may, by notification in the Gazette of India, confer upon any licensee under section 4, in respect of the extent of his license and subject to any conditions and restrictions which the Governor General in Council may think fit to impose and to the provisions of this Part, all or any of the powers which the telegraph authority possesses under this Part with regard to a telegraph established or maintained by the Government or to be so established or maintained.

"Provided that the notice prescribed in section 19A shall always be given to the telegraph authority."

Substitution of new section for section 20 of the said Act.

6. For section 20 of the said Act the following section shall be substituted, namely :—

Establishing, maintaining or working unlicensed telegraph.

"20. (*1*) If any person establishes, maintains or works a telegraph within British India without a license granted under section 4 or otherwise than as permitted by rules made under that section, he shall be punished, if the telegraph is a wireless telegraph, with imprisonment which may extend to three years, or with fine, or with both, and, in any other case, with a fine which may extend to one thousand rupees.

"(2) When any person is convicted of an offence punishable under this section, the Court before which he is convicted may direct that the telegraph in respect of which the offence has been committed, or any part of such telegraph, be forfeited to His Majesty."

Insertion of new section 20A after section 20 of the said Act.

7. After section 20 of the said Act the following section shall be inserted, namely :—

Breach of condition of license.

"20A. If the holder of a license granted under section 4 contravenes any condition contained in his license, he shall be punished with fine which may extend to one thousand rupees, and with a further fine which may extend to five hundred rupees for every week during which the breach of the condition continues."

Insertion of new section 25A after section 25 of the said Act.

8. After section 25 of the said Act the following section shall be inserted, namely :—

Injury or interference with a telegraph line or post.

"25A. If, in any case not provided for by section 25, any person deals with any property and thereby wilfully or negligently damages any telegraph line or post duly placed on such property in accordance with the provisions of this Act, he shall be liable to pay the telegraph authority such expenses (if any) as may be incurred in making good such damage, and shall also, if the telegraphic communication is thereby interrupted, be punishable with a fine which may extend to one thousand rupees :

"Provided that the provisions of this section shall not apply where such damage or interruption is caused by a person dealing with any property in the legal exercise of a right if he has given the notice required by section 19A (*1*)."

Insertion of new section 29A after section 29 of the said Act.

9. After section 29 of the said Act the following section shall be inserted, namely :—

Penalty.

"29A. If any person without due authority,—

(*a*) makes or issues any document of a nature reasonably calculated to cause it to be believed that the document has been issued by or under the authority of the Director-General of Telegraphs, or

(*b*) makes on any document any mark in imitation of, or similar to or purporting to be, any stamp or mark of any Telegraph Office under the Director-General of Telegraphs, or a mark of a nature reasonably calculated to cause it to be believed that the document so marked has been issued by, or under the authority of, the Director-General of Telegraphs,

he shall be punished with fine which may extend to fifty rupees."

Amendment of section 34 of the said Act.

10. In section 34 (*1*) of the said Act after the figures and word "18, sub-section (*1*)," the words, figures and letter, "and section 19A, sub-section (*2*)," shall be inserted.

STATEMENT OF OBJECTS AND REASONS.

In consequence of the introduction of radio-telegraphy into India it has become necessary to amend the Indian Telegraph Act, 1885 (XIII of 1885), in order to enable the possession and working of wireless apparatus to be regulated more strictly than is possible under that Act. The opportunity has been taken to make certain other amendments in the Act, which experience has shewn to be desirable. The details of these amendments are explained in the sub-joined *Notes on Clauses.*

W. H. CLARK.

The 14th May, 1913.

Notes on Clauses.

Clause 2.—The Act at present extends only to British India and to subjects of His Majesty residing in Native States. Following the analogy of the Indian Post Office Act, 1898 (VI of 1898), section 1 (2) of the Telegraph Act has been amended by this clause, so as to extend the operation of the Act to all servants of the King residing in Native States, whether British subjects or not.

Clause 3.—The present definition of "telegraph" in section 3 (*1*) of the Act covers only appliances and apparatus for transmitting or making telegraphic, telephonic or other communications by means of electricity, galvanism or magnetism. It is possible to construct wireless telegraphic apparatus capable merely of *receiving* telegrams, and this clause provides for the amendment of the definition of "telegraph" so as to include apparatus for receiving messages.

Clause 4.—The Act, as it stands at present, contains no specific provision for regulating the establishment and working of wireless telegraphs on ships. Under section 1 of the English Wireless Telegraphy Act, 1904 (4 Edw. VII, Chapter 24), wireless telegraphic apparatus cannot be installed or worked on board any British ship in British territorial waters without a license granted by the Postmaster General. Licenses granted under this section would probably be possessed by all British ships entering Indian territorial waters. There is, however, no power under the English Act to license ships to use wireless telegraphy in territorial waters outside British territorial waters. Moreover, some provision in the Indian Act is necessary to meet the case of foreign vessels within Indian waters. It is, therefore, proposed to add a second proviso to section 4 of the Act, taking power to control the establishment, maintenance and working of wireless telegraphs on ships within Indian territorial waters.

Under the existing proviso to section 4 of the Act, the power to grant a license for the establishment, maintenance or working of a telegraph is vested solely in the Governor General in Council. Thus, all applications for licenses, even of the most petty nature, have to be submitted to the Government of India. In the majority of cases, the Government of India are not in a position to examine the applications and the reference to them is a mere formality. It is, therefore, desirable to delegate this power to the "telegraph authority," that is, to the Director-General, such delegation being made subject to such restrictions and conditions as the Governor General in Council may think fit to impose. Provision for this delegation of power has been made in the second addition to section 4 proposed in this clause.

Clause 5 (proposed new section 19A) and clause 8 (proposed new section 25A).—Under the existing law (sections 13 and 17 of the Act), local authorities or private owners may require the telegraph authority to remove or alter any telegraph post, etc., standing on their properties. There is, however, nothing in the Act to prevent an owner of property from taking, without giving notice to the telegraph authority, such action with the property as may cause or be likely to cause injury to, or interference with, a telegraph line placed upon or near it. A clause has therefore been inserted in the Bill on the lines of section 8 of the English Telegraph Act, 1878 (41 & 42 Vict., Chapter 76), to prevent the execution without due notice of any work likely to be injurious to telegraph lines or posts (proposed new section 19A). The Bill also provides for the recovery of damages in cases where any works are commenced or carried out without due notice and their execution results in injury to telegraph lines or posts and for the imposition of a fine where telegraphic communication is interrupted by any such work (proposed new section 25A).

Clause 5 (proposed new section 19B).—Under sections 10 and 11 of the Act as it now stands, the power to place telegraph lines and posts upon private property is confined to the telegraph authority, that is the Director-General of Telegraphs. It is apprehended that this restriction may hinder the legitimate development of telephone enterprise in India, and a clause has therefore been inserted in the Bill to empower the Governor General in Council to extend, by notification in the *Gazette of India*, to any licensee under section 4, any or all of the powers possessed by the telegraph authority under Part III of the Act.

Clause 6.—The importation of wireless telegraphic apparatus into British India, except under a license granted by the Government of India, is prohibited. The necessary apparatus can, however, be manufactured in India, and it would in practice be extremely difficult to

ascertain whether such apparatus was being used for reading radio-telegraphic messages transmitted from Government stations. It is, therefore, considered necessary to impose a severer penalty on the establishment and working of wireless telegraphs without a license than is at present provided for by section 20 of the Act. The opportunity has been taken to substitute the penalty of confiscation for the continuing fine now leviable under that section. This follows section 1 (3) of the English Wireless Telegraphy Act, 1904 (4 Edw. VII, Chapter 24), and forfeiture seems a more suitable penalty to impose than the existing penalty of a continuing fine.

Clause 7.—The new section 20A introduced by this clause is merely a reproduction of a part of the existing section 20, which it is proposed to revise (see clause 6), and needs no explanation.

Clause 9.—Cases have occurred in which trading firms have distributed advertisements to the public by means of imitation inland telegraph forms and covers with impressions of name and date stamps similar to those used on actual telegrams sent out from Government telegraph offices. The practice causes annoyance to the public, and might be resorted to for fraudulent purposes. It is, therefore, necessary to introduce a new section into the Indian Telegraph Act on the lines of section 64 of the English Post Office Act, 1908 (8 Edw. VII, Chapter 48), prohibiting the imitation of the envelopes, forms and marks of the Telegraph Department.

Clause 10.—The addition made by this clause to section 34 of the Act, confers on the Commissioners of Police in presidency-towns the powers exerciseable by Magistrates of the first and second class under the proposed new section 19A. This amendment calls for no explanation.

W. H. VINCENT,

Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, SEPTEMBER 19, 1913.

PART IV.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 23.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 9th September, 1913 :—

No. 7 OF 1913.

THE INDIAN COPYRIGHT BILL, 1913.

CONTENTS.

CHAPTER I.

PRELIMINARY.

A Bill to modify and add to the provisions of the Copyright Act, 1911.

1 & 2, Geo. 5, c. 46.

WHEREAS it is expedient to modify and add to the provisions of the Copyright Act, 1911, in its application to British India; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title and extent.

1. (*1*) This Act may be called the Indian Copyright Act, 191 .

(*2*) It extends to the whole of British India including British Baluchistan and the Sonthal Parganas.

Definitions.

2. In this Act unless there is anything repugnant in the subject or context,—

1 & 2, Geo. 5, c. 46.

(1) "the Copyright Act" means the Act of Parliament entitled the Copyright Act, 1911: and

(2) words and expressions defined in the Copyright Act have the same meanings as in that Act.

CHAPTER II.

CONSTRUCTION AND MODIFICATION OF THE COPYRIGHT ACT.

Application of Copyright Act to British India with adaptations.

3. In the application to British India of the Copyright Act (a copy of which Act, except such of the provisions thereof as are expressly restricted to the United Kingdom, is set out in the First Schedule), the following modifications shall be made, namely:—

(1) the powers of the Board of Trade under section 3 shall, in the case of works first published in British India, be exercised by the Governor General in Council;

Cf. s. 2, Act XX of 1847.

(2) the reference in section 4 to the Judicial Committee of the Privy Council shall, in the case of works first published in British India, be construed as a reference to the Governor General in Council;

(3) the powers of the Board of Trade under section 19 shall, as regards records, perforated rolls and other contrivances, the original plate of which was made in British India, be exercised by the Governor General in Council; and the confirmation of Parliament shall not be necessary to the exercise of any of these powers;

(4) the references in section 19, sub-section (*4*), and in section 24, sub-section (*1*), proviso (*a*), sub-clause (*ii*), to arbitration shall be read as references to arbitration in accordance with the law for the time being in force in that part of British India in which the dispute occurs;

7 Edw. VII, Cap. 29.

11 of 1911.

(5) as regards works, the authors whereof were at the time of the making of the works resident in British India, and as regards works first published in British India, the reference in section 22 to the Patents and Designs Act, 1907, shall be construed as a reference to the Indian Patents and Designs Act, 1911, and the reference in the said section to section 86 of the Patents and Designs Act, 1907, shall be construed as a reference to section 77 of the Indian Patents and Designs Act, 1911;

(6) as regards works first published in British India, the reference in section 24, sub-section (*1*), proviso (*a*), to the London Gazette and two London newspapers shall be construed as a reference to the Gazette of India and two newspapers published in British India; and the reference in proviso (*b*) of the same sub-section of the same section, to the 26th day of July 1910, shall, as regards works, the authors whereof were at the time of the making of the works resident in British India, and as regards works first published in British India, be construed as a reference to the 30th day of October, 1912.

Modification of copyright as regards translation of works first published in British India.

4. In the case of works first published in British India, copyright shall, as regards translation rights, be subject to this limitation that it shall only include the sole right to produce, reproduce, perform or publish a translation of the work for a period of five years from the date of the first publication of the work:

Provided that if, after the expiry of the said period, any person produces, reproduces, performs or publishes a translation of the work, the copyright in such work shall be deemed to be infringed unless such person has given written notice to the author thereof of his intention, and unless a period of two years has elapsed from the giving of such notice.

Musical works made by resident of, or first published in, British India.

5. In the application of the Copyright Act to musical works the authors whereof were at the time of the making of the works resident in British India, or to musical works first published in British India, the term "musical work" shall, save as otherwise expressly provided by the Copyright Act, mean "any combination of melody and harmony, or either of them, which has been reduced to writing".

...portation of copies.

6. (*1*) Copies made out of British India of any work in which copyright subsists which if made in British India would infringe copyright, and as to which the owner of the copyright gives notice in writing by himself or his agent to the Chief Customs officer, as defined in the Sea Customs Act, 1878, that he is desirous that such copies should not be imported into British India, shall not be so imported; and shall, subject to the provisions of this section, be deemed to be prohibited imports within the meaning of section 18 of the Sea Customs Act, 1878.

(*2*) Before detaining any such copies, or taking any further proceedings with a view to the confiscation thereof, such Chief Customs officer, or any other officer appointed by the Local Government in this behalf, may require the regulations under this section, whether as to information, security, conditions or other matters, to be complied with, and may satisfy himself, in accordance with these regulations, that the copies are such as are prohibited by this section to be imported.

(3) The Governor General in Council may, by notification in the Gazette of India, make regulations, either general or special, respecting the detention and confiscation of copies, the importation of which is prohibited by this section, and the conditions, if any, to be fulfilled before such detention and confiscation; and may, by such regulations, determine the information, notices and security to be given, and the evidence requisite for any of the purposes of this section, and the mode of verification of such evidence.

(4) Such regulations may apply to copies of all works, the importation of which is prohibited by this section, or different regulations may be made respecting different classes of such works.

(5) The regulations may provide for the informant re-imbursing the Secretary of State for India in Council all expenses and damages incurred in respect of any detention made on his information, and of any proceedings consequent on such detention; and may provide that notices given under the Copyright Act to the Commissioners of Customs and Excise of the United Kingdom, and communicated by that authority to any authority in British India, shall be deemed to have been given by the owner to the said Chief Customs officer.

(6) This section shall have effect as the necessary modification of section 14 of the Copyright Act.

CHAPTER III.

SUMMARY REMEDIES.

Offences in respect of infringing copies.

7. If any person knowingly—

Cf. 11 (1), Copyright Act, 1911.

(a) makes for sale or hire any infringing copy of a work in which copyright subsists; or

(b) sells or lets for hire, or by way of trade exposes or offers for sale or hire, any infringing copy of any such work; or

(c) distributes infringing copies of any such work, either for the purposes of trade or to such an extent as to affect prejudicially the owner of the copyright; or

(d) by way of trade exhibits in public any infringing copy of any such work; or

(e) imports for sale or hire into British India any infringing copy of any such work;

he shall be punishable with fine which may extend to twenty rupees for every copy dealt with in contravention of this section, but not exceeding five hundred rupees in respect of the same transaction.

Possession of plates for purpose of making infringing copies.

Cf. 11 (2), Copyright Act, 1911.

8. If any person knowingly makes, or has in his possession, any plate for the purpose of making infringing copies of any work in which copyright subsists, or knowingly and for his private profit causes any such work to be performed in public without the consent of the owner of the copyright, he shall be punishable with fine which may extend to five hundred rupees.

Punishment on second conviction.

Cf. 11 (1), Copyright Act, 1911.

9. If any person, after having been previously convicted of an offence punishable under section 7 or section 8 is subsequently convicted of an offence punishable under either of these sections, he shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to one thousand rupees, or with both.

Power of Court to dispose of infringing copies or plates for purposes of making infringing copies.

Cf. 11 (3), Copyright Act, 1911.

10. The Court before which any such proceedings are taken may, whether the alleged offender is convicted or not, order that all copies of the work or all plates in the possession of the alleged offender, which appear to it to be infringing copies, or plates for the purpose of making infringing copies, be destroyed or delivered up to the owner of the copyright, or otherwise dealt with as the Court may think fit.

Cognisance of offences.

11. No Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence against this Act.

Saving in case of infringement by construction of building.

12. The provisions of this Chapter shall not apply to any case to which section 9 of the Copyright Act regarding the restrictions on remedies in the case of a work of architecture applies.

CHAPTER IV.

MISCELLANEOUS.

Courts having civil jurisdiction regarding infringement of copyright.

Cf. s. 7, Act XX of 1847.

13. Every suit or other civil proceeding regarding infringement of copyright shall be instituted in the High Court.

Effect of non-registration under Act XX of 1847.

14. No suit or other civil proceeding instituted after the 30th of October, 1912, regarding infringement of copyright in any book, the author whereof was at the time of making the book resident in British India, or of any book first published in British India, shall be dismissed by reason only that the registration of such book had not been effected in accordance with the provisions of the Indian Copyright Act, 1847. *XX of 1847.

Repeals.

15. The enactments mentioned in the Second Schedule are hereby repealed to the extent specified in the fourth column thereof.

THE FIRST SCHEDULE.

PORTIONS OF THE COPYRIGHT ACT APPLICABLE TO BRITISH INDIA.

(See section 3.)

COPYRIGHT ACT, 1911.

[1 & 2 GEO. 5, CH. 46.]

ARRANGEMENT OF SECTIONS.

PART I.

IMPERIAL COPYRIGHT.

Rights.

Chapter 46.

AN ACT TO AMEND AND CONSOLIDATE THE LAW RELATING TO COPYRIGHT.

[16TH DECEMBER 1911.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, as follows :—

PART I.

IMPERIAL COPYRIGHT.

Rights.

Copyright.

1. (*1*) Subject to the provisions of this Act, copyright shall subsist throughout the parts of His Majesty's dominions to which this Act extends for the term herein-after mentioned in every original literary dramatic musical and artistic work, if—

(*a*) in the case of a published work, the work was first published within such parts of His Majesty's dominions as aforesaid; and

(*b*) in the case of an unpublished work, the author was at the date of the making of the work a British subject or resident within such parts of His Majesty's dominions as aforesaid ;

but in no other works, except so far as the protection conferred by this Act is extended by Orders in Council thereunder relating to self-governing dominions to which this Act does not extend and to foreign countries.

(*2*) For the purposes of this Act, "copyright" means the sole right to produce or reproduce the work or any substantial part thereof in any material form whatsoever, to perform, or in the case of a lecture to deliver, the work or any substantial part thereof in public ; if the work is unpublished, to publish the work or any substantial part thereof ; and shall include the sole right—

(*a*) to produce, reproduce, perform, or publish any translation of the work ;

(*b*) in the case of a dramatic work, to convert it into a novel or other non-dramatic work ;

(*c*) in the case of a novel or other non-dramatic work, or of an artistic work, to convert it into a dramatic work, by way of performance in public or otherwise ;

(*d*) in the case of a literary, dramatic, or musical work, to make any record, perforated roll, cinematograph film, or other contrivance by means of which the work may be mechanically performed or delivered,

and to authorise any such acts as aforesaid.

(*3*) For the purposes of this Act, publication, in relation to any work, means the issue of copies of the work to the public, and does not include the performance in public of a dramatic or musical work, the delivery in public of a lecture, the exhibition in public of an artistic work, or the construction of an architectural work of art, but, for the purposes of this provision, the issue of photographs and engravings of works of sculpture and architectural works of art shall not be deemed to be publication of such works.

Infringement of copyright.

2. (*1*) Copyright in a work shall be deemed to be infringed by any person who, without the consent of the owner of the copyright, does anything the sole right to do which is by this Act conferred on the owner of the copyright: Provided that the following acts shall not constitute an infringement of copyright :—

(i) Any fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary :

(ii) Where the author of an artistic work is not the owner of the copyright therein, the use by the author of any mould, cast, sketch, plan, model, or study made by him for the purpose of the work, provided that he does not thereby repeat or imitate the main design of that work:

(iii) The making or publishing of paintings, drawings, engravings, or photographs of a work of sculpture or artistic craftsmanship, if permanently situate in a public place or building, or the making or publishing of paintings, drawings, engravings or photographs (which are not in the nature of architectural drawings or plans) of any architectural work of art:

(iv) The publication in a collection, mainly composed of non-copyright matter, *bonâ fide* intended for the use of schools, and so described in the title and in any advertisements issued by the publisher, of short passages from published literary works not themselves published for the use of schools in which copyright subsists: Provided that not more than two of such passages from works by the same author are published by the same publisher within five years, and that the source from which such passages are taken is acknowledged:

(v) The publication in a newspaper of a report of a lecture delivered in public, unless the report is prohibited by conspicuous written or printed notice affixed before and maintained during the lecture at or about the main entrance of the building in which the lecture is given, and, except whilst the building is being used for public worship, in a position near the lecturer; but nothing in this paragraph shall affect the provisions in paragraph (i) as to newspaper summaries:

(vi) The reading or recitation in public by one person of any reasonable extract from any published work.

(2) Copyright in a work shall also be deemed to be infringed by any person who—

(a) sells or lets for hire, or by way of trade exposes or offers for sale or hire; or

(b) distributes either for the purposes of trade or to such an extent as to affect prejudicially the owner of the copyright; or

(c) by way of trade exhibits in public; or

(d) imports for sale or hire into any part of His Majesty's dominions to which this Act extends,

any work which to his knowledge infringes copyright or would infringe copyright if it had been made within the part of His Majesty's dominions in or into which the sale or hiring, exposure, offering for sale or hire, distribution, exhibition, or importation took place.

(3) Copyright in a work shall also be deemed to be infringed by any person who for his private profit permits a theatre or other place of entertainment to be used for the performance in public of the work without the consent of the owner of the copyright, unless he was not aware, and had no reasonable ground for suspecting, that the performance would be an infringement of copyright.

Term of copyright.

3. The term for which copyright shall subsist shall, except as otherwise expressly provided by this Act, be the life of the author and a period of fifty years after his death:

Provided that at any time after the expiration of twenty-five years, or in the case of a work in which copyright subsists at the passing of this Act thirty years, from the death of the author of a published work, copyright in the work shall not be deemed to be infringed by the reproduction of the work for sale if the person reproducing the work proves that he has given the prescribed notice in writing of his intention to reproduce the work, and that he has paid in the prescribed manner to, or for the benefit of, the owner of the copyright royalties in respect of all copies of the work sold by him calculated at the rate of ten per cent on the price at which he publishes the work; and, for the purposes of this proviso, the Board of Trade may make regulations prescribing the mode in which notices are to be given, and the particulars to be given in such notices, and the mode, time and frequency of the payment of royalties, including (if they think fit) regulations requiring payment in advance or otherwise securing the payment of royalties.

Compulsory licenses.

4. If at any time after the death of the author of a literary, dramatic, or musical work which has been published or performed in public a complaint is made to the Judicial Committee of the Privy Council that the owner of the copyright in the work has refused to republish or to allow the republication of the work or has refused to allow the performance in public of the work, and that by reason of such refusal the work is withheld from the public, the owner of the copyright may be ordered to grant a license to reproduce the work or perform the work in public, as the case may be, on such terms and subject to such conditions as the Judicial Committee may think fit.

Ownership of copyright, etc.

5. (*1*) Subject to the provisions of this Act, the author of a work shall be the first owner of the copyright, therein:

Provided that—

(*a*) where, in the case of an engraving, photograph, or portrait, the plate or other original was ordered by some other person and was made for valuable consideration in pursuance of that order, then, in the absence of any agreement to the contrary, the person by whom such plate or other original was ordered shall be the first owner of the copyright; and

(*b*) where the author was in the employment of some other person under a contract of service or apprenticeship and the work was made in the course of his employment by that person, the person by whom the author was employed shall, in the absence of any agreement to the contrary, be the first owner of the copyright, but where the work is an article or other contribution to a newspaper, magazine, or similar periodical, there shall, in the absence of any agreement to the contrary, be deemed to be reserved to the author a right to restrain the publication of the work, otherwise than as part of a newspaper, magazine, or similar periodical.

(*2*) The owner of the copyright in any work may assign the right, either wholly or partially, and either generally or subject to limitations to the United Kingdom or any self-governing dominion or other part of His Majesty's dominions to which this Act extends, and either for the whole term of the copyright or for any part thereof, and may grant any interest in the right by license, but no such assignment or grant shall be valid unless it is in writing signed by the owner of the right in respect of which the assignment or grant is made, or by his duly authorised agent :

Provided that, where the author of a work is the first owner of the copyright therein, no assignment of the copyright, and no grant of any interest therein, made by him (otherwise than by will) after the passing of this Act, shall be operative to vest in the assignee or grantee any rights with respect to the copyright in the work beyond the expiration of twenty-five years from the death of the author, and the reversionary interest in the copyright expectant on the termination of that period shall, on the death of the author, notwithstanding any agreement to the contrary, devolve on his legal personal representatives as part of his estate, and any agreement entered into by him as to the disposition of such reversionary interest shall be null and void, but nothing in this proviso shall be construed as applying to the assignment of the copyright in a collective work or a license to publish a work or part of a work as part of a collective work.

(*3*) Where, under any partial assignment of copyright, the assignee becomes entitled to any right comprised in copyright, the assignee, as respects the right so assigned, and the assignor as respects the rights not assigned, shall be treated for the purposes of this Act as the owner of the copyright, and the provisions of this Act shall have effect accordingly.

Civil Remedies.

Civil remedies for infringement of copyright.

6. (*1*) Where copyright in any work has been infringed, the owner of the copyright shall, except as otherwise provided by this Act, be entitled to all such remedies by way of injunction or interdict, damages, accounts, and otherwise, as are or may be conferred by law for the infringement of a right.

(*2*) The costs of all parties in any proceedings in respect of the infringement of copyright shall be in the absolute discretion of the Court.

(*3*) In any action for infringement of copyright in any work, the work shall be presumed to be a work in which copyright subsists and the plaintiff shall be presumed to be the owner of the copyright, unless the defendant puts in issue the existence of the copyright, or, as the case may be, the title of the plaintiff, and where any such question is in issue, then—

(*a*) if a name purporting to be that of the author of the work is printed or otherwise indicated thereon in the usual manner, the person whose name is so printed or indicated shall, unless the contrary is proved, be presumed to be the author of the work;

(*b*) if no name is so printed or indicated, or if the name so printed or indicated is not the author's true name or the name by which he is commonly known, and a name purporting to be that of the publisher or proprietor of the work is printed or otherwise indicated thereon in the usual manner, the person whose name is so printed or indicated shall, unless the contrary is proved, be presumed to be the owner of the copyright in the work for the purposes of proceedings in respect of the infringement of copyright therein.

Rights of owner against persons possessing or dealing with infringing copies, etc.

7. All infringing copies of any work in which copyright subsists, or of any substantial part thereof, and all plates used or intended to be used for the production of such infringing copies, shall be deemed to be the property of the owner of the copyright, who accordingly may take proceedings for the recovery of the possession thereof or in respect of the conversion thereof.

Exemption of innocent infringer from liability to pay damages, etc.

8. Where proceedings are taken in respect of the infringement of the copyright in any work and the defendant in his defence alleges that he was not aware of the existence of the copyright in the work, the plaintiff shall not be entitled to any remedy other than an injunction or interdict in respect of the infringement if the defendant proves that at the date of the infringement he was not aware and had not reasonable ground for suspecting that copyright subsisted in the work.

Restriction on remedies in the case of architecture.

9. (*1*) Where the construction of a building or other structure which infringes or which, if completed, would infringe the copyright in some other work has been commenced, the owner of the copyright shall not be entitled to obtain an injunction or interdict to restrain the construction of such building or structure or to order its demolition.

(*2*) Such of the other provisions of this Act as provide that an infringing copy of a work shall be deemed to be the property of the owner of the copyright, or as impose summary penalties, shall not apply in any case to which this section applies.

Limitation of actions.

10. An action in respect of infringement of copyright shall not be commenced after the expiration of three years next after the infringement.

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Importation of Copies.

14. (*1*) Copies made out of the United Kingdom of any work in which copyright subsists which if made in the United Kingdom would infringe copyright, and as to which the owner of the copyright gives notice in writing by himself or his agent to the Commissioners of Customs and Excise, that he is desirous that such copies should not be imported into the United Kingdom, shall not be so imported, and shall, subject to the provisions of this section, be deemed to be included in the table of prohibitions and restrictions contained in section forty-two of the Customs Consolidation Act, 1876, and that section shall apply accordingly.

Importation of copies.

39 & 40 Vict. c. 36.

(*2*) Before detaining any such copies or taking any further proceedings with a view to the forfeiture thereof under the law relating to the Customs, the Commissioners of Customs and Excise may require the regulations under this section, whether as to information, conditions, or other matters, to be complied with, and may satisfy themselves in accordance with those regulations that the copies are such as are prohibited by this section to be imported.

(*3*) The Commissioners of Customs and Excise may make regulations, either general or special, respecting the detention and forfeiture of copies the importation of which is prohibited by this section, and the conditions, if any, to be fulfilled before such detention and forfeiture, and may, by such regulations, determine the information, notices, and security to be given, and the evidence requisite for any of the purposes of this section, and the mode of verification of such evidence.

(*4*) The regulations may apply to copies of all works the importation of copies of which is prohibited by this section, or different regulations may be made respecting different classes of such works.

(*5*) The regulations may provide for the informant reimbursing the Commissioners of Customs and Excise all expenses and damages incurred in respect of any detention made on his information, and of any proceedings consequent on such detention; and may provide for notices under any enactment repealed by this Act being treated as notices given under this section.

(*6*) The foregoing provisions of this section shall have effect as if they were part of the Customs Consolidation Act, 1876: Provided that, notwithstanding anything in that Act, the Isle of Man shall not be treated as part of the United Kingdom for the purposes of this section.

(*7*) This section shall, with the necessary modifications, apply to the importation into a British possession to which this Act extends of copies of works made out of that possession.

Delivery of Books to Libraries.

15. (*1*) The publisher of every book published in the United Kingdom shall, within one month after the publication, deliver, at his own expense, a copy of the book to the trustees of the British Museum, who shall give a written receipt for it.

Delivery of copies to British Museum and other libraries.

(*2*) He shall also, if written demand is made before the expiration of twelve months after publication, deliver within one month after receipt of that written demand or, if the demand was made before publication, within one month after publication, to some depôt in London named in the demand a copy of the book for, or in accordance with the directions of, the authority having the control of each of the following libraries, namely: the Bodleian Library, Oxford, the University Library, Cambridge, the Library of the Faculty of Advocates at Edinburgh, and the Library of Trinity College, Dublin, and subject to the provisions of this section the National Library of Wales. In the case of an encyclopædia, newspaper, review, magazine, or work published in a series of numbers or parts, the written demand may include all numbers or parts of the work which may be subsequently published.

(*3*) The copy delivered to the trustees of the British Museum shall be a copy of the whole book with all maps and illustrations belonging thereto, finished and coloured in the same manner as the best copies of the book are published, and shall be bound, sewed, or stitched together, and on the best paper on which the book is printed.

(*4*) The copy delivered for the other authorities mentioned in this section shall be on the paper on which the largest number of copies of the book is printed for sale, and shall be in the like condition as the books prepared for sale.

(*5*) The books of which copies are to be delivered to the National Library of Wales shall not include books of such classes as may be specified in regulations to be made by the Board of Trade.

(*6*) If a publisher fails to comply with this section, he shall be liable on summary conviction to a fine not exceeding five pounds and the value of the book, and the fine shall be paid to the trustees or authority to whom the book ought to have been delivered.

(*7*) For the purposes of this section, the expression "book" includes evey part or division of a book, pamphlet, sheet of letter-press, sheet of music, map, plan, chart or table separately published, but shall not include any second or subsequent edition of a book unless such edition contains additions or alterations either in the letter-press or in the maps, prints, or other engravings belonging thereto.

Special Provisions as to certain Works.

16. (*1*) In the case of a work of joint authorship, copyright shall subsist during the life of the author who first dies and for a term of fifty years after his death, or during the life of the author who dies last, whichever period is the longer, and references in this Act to the period after the expiration of any specified number of years from the death of the author shall be construed as references to the period after the expiration of the like number of years from the death of the author who dies first or after the death of the author who dies last, whichever period may be the shorter, and in the provisions of this Act with respect to the grant of

Works of joint authors.

compulsory licenses a reference to the date of the death of the author who dies last shall be substituted for the reference to the date of the death of the author.

(2) Where, in the case of a work of joint authorship some one or more of the joint authors do not satisfy the conditions conferring copyright laid down by this Act, the work shall be treated for the purposes of this Act as if the other author or authors had been the sole author or authors thereof:

Provided that the term of the copyright shall be the same as it would have been if all the authors had satisfied such conditions as aforesaid.

(3) For the purposes of this Act, "a work of joint authorship" means a work produced by the collaboration of two or more authors in which the contribution of one author is not distinct from the contribution of the other author or authors.

(4) Where a married woman and her husband are joint authors of a work the interest of such married woman therein shall be her separate property.

Posthumous works.

17. (*1*) In the case of a literary, dramatic or musical work, or an engraving, in which copyright subsists at the date of the death of the author or, in the case of a work of joint authorship, at or immediately before the date of the death of the author who dies last, but which has not been published, nor, in the case of a dramatic or musical work, been performed in public, nor, in the case of a lecture, been delivered in public, before that date, copyright shall subsist till publication, or performance or delivery in public, whichever may first happen, and for a term of fifty years thereafter, and the proviso to section three of this Act shall, in the case of such a work, apply as if the author had died at the date of such publication or performance or delivery in public as aforesaid.

(2) The ownership of an author's manuscript after his death, where such ownership has been acquired under a testamentary disposition made by the author and the manuscript is of a work which has not been published nor performed in public nor delivered in public, shall be *primâ facie* proof of the copyright being with the owner of the manuscript.

Provisions as to Government publications.

18. Without prejudice to any rights or privileges of the Crown, where any work has, whether before or after the commencement of this Act, been prepared or published by or under the direction or control of His Majesty or any Government department, the copyright in the work shall, subject to any agreement with the author, belong to His Majesty, and in such case shall continue for a period of fifty years from the date of the first publication of the work.

Provisions as to mechanical instruments.

19. (*1*) Copyright shall subsist in records, perforated rolls, and other contrivances by means of which sounds may be mechanically reproduced, in like manner as if such contrivances were musical works, but the term of copyright shall be fifty years from the making of the original plate from which the contrivance was directly or indirectly derived, and the person who was the owner of such original plate at the time when such plate was made shall be deemed to be the author of the work, and, where such owner is a body corporate, the body corporate shall be deemed for the purposes of this Act to reside within the parts of His Majesty's dominions to which this Act extends if it has established a place of business within such parts.

(2) It shall not be deemed to be an infringement of copyright in any musical work for any person to make within the parts of His Majesty's dominions to which this Act extends, records, perforated rolls, or other contrivances by means of which the work may be mechanically performed, if such person proves—

(*a*) that such contrivances have previously been made by, or with the consent or acquiescence of, the owner of the copyright in the work; and

(*b*) that he has given the prescribed notice of his intention to make the contrivances, and has paid in the prescribed manner to, or for the benefit of, the owner of the copyright in the work royalties in respect of all such contrivances sold by him, calculated at the rate hereinafter mentioned:

Provided that—

(i) nothing in this provision shall authorise any alterations in, or omissions from, the work reproduced, unless contrivances reproducing the work subject to similar alterations and omissions have been previously made by, or with the consent or acquiescence of, the owner of the copyright, or unless such alterations or omissions are reasonably necessary for the adaptation of the work to the contrivances in question; and

(ii) for the purposes of this provision, a musical work shall be deemed to include any words so closely associated therewith as to form part of the same work, but shall not be deemed to include a contrivance by means of which sounds may be mechanically reproduced.

(3) The rate at which such royalties as aforesaid are to be calculated shall—

(*a*) in the case of contrivances sold within two years after the commencement of this Act by the person making the same, be two and one-half per cent; and

(*b*) in the case of contrivances sold as aforesaid after the expiration of that period, five per cent

on the ordinary retail selling price of the contrivance calculated in the prescribed manner, so however that the royalty payable in respect of a contrivance shall, in no case, be less than a half-penny for each separate musical work in which copyright subsists reproduced thereon, and, where the royalty

calculated as aforesaid includes a fraction of a farthing, such fraction shall be reckoned as a farthing:

Provided that, if, at any time after the expiration of seven years from the commencement of this Act, it appears to the Board of Trade that such rate as aforesaid is no longer equitable, the Board of Trade may, after holding a public inquiry, make an order either decreasing or increasing that rate to such extent as under the circumstances may seem just, but any order so made shall be provisional only and shall not have any effect unless and until confirmed by Parliament; but, where an order revising the rate has been so made and confirmed, no further revision shall be made before the expiration of fourteen years from the date of the last revision.

(4) If any such contrivance is made reproducing two or more different works in which copyright subsists and the owners of the copyright therein are different persons, the sums payable by way of royalties under this section shall be apportioned amongst the several owners of the copyright in such proportions as, failing agreement, may be determined by arbitration.

(5) When any such contrivances by means of which a musical work may be mechanically performed have been made, then, for the purposes of this section, the owner of the copyright in the work shall, in relation to any person who makes the prescribed inquiries, be deemed to have given his consent to the making of such contrivances if he fails to reply to such inquiries within the prescribed time.

(6) For the purposes of this section, the Board of Trade may make regulations prescribing anything which under this section is to be prescribed, and prescribing the mode in which notices are to be given and the particulars to be given in such notices, and the mode, time, and frequency of the payment of royalties, and any such regulations may, if the Board think fit, include regulations requiring payment in advance or otherwise securing the payment of royalties.

(7) In the case of musical works published before the commencement of this Act, the foregoing provisions shall have effect, subject to the following modifications and additions:

(a) The conditions as to the previous making by, or with the consent or acquiescence of, the owner of the copyright in the work, and the restrictions as to alterations in or omissions from the work shall not apply;

(b) The rate of two and one-half per cent, shall be substituted for the rate of five per cent as the rate at which royalties are to be calculated, but no royalties shall be payable in respect of contrivances sold before the first day of July, nineteen hundred and thirteen, if contrivances reproducing the same work had been lawfully made, or placed on sale, within the parts of His Majesty's dominions to which this Act extends before the first day of July, nineteen hundred and ten:

(c) Notwithstanding any assignment made before the passing of this Act of the copyright in a musical work, any rights conferred by this Act in respect of the making, or authorising the making, of contrivances by means of which the work may be mechanically performed shall belong to the author or his legal personal representatives and not to the assignees, and the royalties aforesaid shall be payable to, and for the benefit of, the author of the work or his legal personal representatives:

(d) The saving contained in this Act of the rights and interests arising from, or in connexion with action taken before the commencement of this Act shall not be construed as authorising any person who has made contrivances by means of which the work may be mechanically performed to sell any such contrivances, whether made before or after the passing of this Act, except on the terms and subject to the conditions laid down in this section:

(e) Where the work is a work on which copyright is conferred by an Order in Council relating to a foreign country, the copyright so conferred shall not, except to such extent as may be provided by the Order, include any rights with respect to the making of records, perforated rolls, or other contrivances by means of which the work may be mechanically performed.

(8) Notwithstanding anything in this Act where a record, perforated roll, or other contrivance by means of which sounds may be mechanically reproduced has been made before the commencement of this Act, copyright shall, as from the commencement of this Act, subsist therein in like manner and for the like term as if this Act had been in force at the date of the making of the original plate from which the contrivance was directly or indirectly derived:

Provided that—

(i) the person who, at the commencement of this Act is the owner of such original plate shall be the first owner of such copyright; and

(ii) nothing in this provision shall be construed as conferring copyright in any such contrivance if the making thereof would have infringed copyright in some other such contrivance, if this provision had been in force at the time of the making of the first-mentioned contrivance.

Provision as to political speeches.

20. Notwithstanding anything in this Act, it shall not be an infringement of copyright in an address of a political nature delivered at a public meeting to publish a report thereof in a newspaper.

Provisions as to photographs.

21. The term for which copyright shall subsist in photographs shall be fifty years from the making of the original negative from which the photograph was directly or indirectly derived, and the

person who was owner of such negative at the time when such negative was made shall be deemed to be the author of the work, and, where such owner is a body corporate, the body corporate shall be deemed for the purposes of this Act to reside within the parts of His Majesty's dominions to which this extends if it has established a place of business within such parts.

Provisions as to designs registrable under 7 Edw. 7, c. 29.

22. (*1*) This Act shall not apply to designs capable of being registered under the Patents and Designs Act, 1907, except designs which, though capable of being so registered, are not used or intend to be used as models or patterns to be multiplied by any industrial process.

(*2*) General rules under section eighty-six of the Patents and Designs Act, 1907, may be made for determining the conditions under which a design shall be deemed to be used for such purposes as aforesaid.

Works of foreign authors first published in parts of His Majesty's dominions to which Act extends.

23. If it appears to His Majesty that a foreign country does not give, or has not undertaken to give, adequate protection to the works of British authors, it shall be lawful for His Majesty by Order in Council to direct that such of the provisions of this Act as confer copyright on works first published within the parts of His Majesty's dominions to which this Act extends, shall not apply to works published after the date specified in the Order, the authors whereof are subjects or citizens of such foreign country, and are not resident in His Majesty's dominions, and thereupon those provisions shall not apply to such works.

Existing works.

24. (*1*) Where any person is immediately before the commencement of this Act entitled to any such right in any work as is specified in the first column of the First Schedule to this Act, or to any interest in such a right, he shall, as from that date, be entitled to the substituted right set forth in the second column of that schedule, or to the same interest in such a substituted right, and to no other right or interest, and such substituted right shall subsist for the term for which it would have subsisted if this Act had been in force at the date when the work was made and the work had been one entitled to copyright thereunder:

Provided that—

(*a*) if the author of any work in which any such right as is specified in the first column of the First Schedule to this Act subsists at the commencement of this Act has, before that date, assigned the right or granted any interest therein for the whole term of the right, then at the date when, but for the passing of this Act, the right would have expired the substituted right conferred by this section shall, in the absence of express agreement, pass to the author of the work, and any interest therein created before the commencement of this Act and then subsisting shall determine; but the person who immediately before the date at which the right would so have expired was the owner of the right or interest shall be entitled at his option either—

(*i*) on giving such notice as hereinafter mentioned, to an assignment of the right or the grant of a similar interest therein for the remainder of the term of the right for such consideration as, failing agreement, may be determined by arbitration; or

(*ii*) without any such assignment or grant, to continue to reproduce or perform the work in like manner as theretofore subject to the payment, if demanded by the author within three years after the date at which the right would have so expired, of such royalties to the author as, failing agreement, may be determined by arbitration, or, where the work is incorporated in a collective work and the owner of the right or interest is the proprietor of that collective work, without any such payment ?

The notice above referred to must be given not more than one year nor less than six months before the date at which the right would have so expired, and must be sent by registered post to the author, or, if he cannot with reasonable diligence be found, advertised in the London Gazette and in two London newspapers ?

(*b*) where any person has, before the twenty-sixth day of July nineteen hundred and ten, taken any action whereby he has incurred any expenditure or liability in connexion with the reproduction or performance of any work in a manner which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the passing of this Act, have been lawful, nothing in this section shall diminish or prejudice any rights or interest arising from or in connexion with such action which are subsisting and valuable at the said date, unless the person who by virtue of this section becomes entitled to restrain such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined by arbitration.

(*2*) For the purposes of this section, the expression "author" includes the legal personal representatives of a deceased author.

(*3*) Subject to the provisions of section nineteen, sub-sections (*7*) and (*8*) and of section thirty-three of this Act, copyright shall not subsist in any work made before the commencement of this Act, otherwise than under, and in accordance with, the provisions of this section.

Application to British Possessions.

25. (*1*) This Act, except such of the provisions thereof as are expressly restricted to the United Kingdom, shall extend throughout His Majesty's dominions: Provided that it shall not extend to a self-governing dominion, unless declared by the Legislature of that dominion to be in force therein either without any modifications or additions, or with such modifications and additions relating exclusively to procedure and remedies, or necessary to adapt this Act to the circumstances of the dominion, as may be enacted by such Legislature.

Application of Act to British dominions.

(*2*) If the Secretary of State certifies by notice published in the London Gazette that any self-governing dominion has passed legislation under which works, the authors whereof were at the date of the making of the works British subjects resident elsewhere than in the dominion or (not being British subjects) were resident in the parts of His Majesty's dominions to which this Act extends, enjoy within the dominion rights substantially identical with those conferred by this Act, then, whilst such legislation continues in force, the dominion shall, for the purposes of the rights conferred by this Act, be treated as if it were a dominion to which this Act extends; and it shall be lawful for the Secretary of State to give such a certificate as aforesaid, notwithstanding that the remedies for enforcing the rights, or the restrictions on the importation of copies of works, manufactured in a foreign country, under the law of the dominion, differ from those under this Act.

26. (*1*) The Legislature of any self-governing dominion may, at any time, repeal all or any of the enactments relating to copyright passed by Parliament (including this Act) so far as they are operative within that dominion: Provided that no such repeal shall prejudicially affect any legal rights existing at the time of the repeal, and that, on this Act or any part thereof being so repealed by the Legislature of a self-governing dominion, that dominion shall cease to be a dominion to which this Act extends.

Legislative powers of self-governing dominions.

(*2*) In any self-governing dominion to which this Act does not extend the enactments repealed by this Act shall, so far as they are operative in that dominion, continue in force until repealed by the Legislature of that dominion.

(*3*) Where His Majesty in Council is satisfied that the law of a self-governing dominion to which this Act does not extend provides adequate protection within the dominion for the works (whether published or unpublished) of authors who at the time of the making of the work were British subjects resident elsewhere than in that dominion, His Majesty in Council may, for the purpose of giving reciprocal protection, direct that this Act except such parts (if any) thereof as may be specified in the Order, and subject to any conditions contained therein, shall, within the parts of His Majesty's dominions to which this Act extends, apply to works the authors whereof were, at the time of the making of the work, resident within the first-mentioned dominion, and to works first published in that dominion; but, save as provided by such an Order, works the authors whereof were resident in a dominion to which this Act does not extend shall not, whether they are British subjects or not, be entitled to any protection under this Act except such protection as is by this Act conferred on works first published within the parts of His Majesty's dominions to which this Act extends:

Provided that no such Order shall confer any rights within a self-governing dominion, but the Governor in Council of any self-governing dominion to which this Act extends, may, by Order, confer within that dominion the like rights as His Majesty in Council is, under the foregoing provisions of this sub-section, authorised to confer within other parts of His Majesty's dominions.

For the purposes of this sub-section, the expression "a dominion to which this Act extends" includes a dominion which is for the purposes of this Act to be treated as if it were a dominion to which this Act extends.

27. The Legislature of any British possession to which this Act extends may modify or add to any of the provisions of this Act in its application to the possession, but, except so far as such modifications and additions relate to procedure and remedies, they shall apply only to works the authors whereof were, at the time of the making of the work, resident in the possession, and to works first published in the possession.

Power of Legislatures of British possessions to pass supplemental legislation.

28. His Majesty may, by Order in Council, extend this Act to any territories under his protection and to Cyprus, and, on the making of any such Order, this Act shall, subject to the provisions of the Order, have effect as if the territories to which it applies or Cyprus were part of His Majesty's dominions to which this Act extends.

Application to protectorates.

PART II.

INTERNATIONAL COPYRIGHT.

29. (*1*) His Majesty may, by Order in Council, direct that this Act (except such parts, if any, thereof as may be specified in the Order) shall apply—

Power to extend Act to foreign works.

(*a*) to works first published in a foreign country to which the Order relates, in like manner as if they were first published within the parts of His Majesty's dominions to which this Act extends;

(*b*) to literary, dramatic, musical, and artistic works, or any class thereof, the authors whereof were at the time of the making of the work subjects or citizens of a foreign country to which the Order relates, in like manner as if the authors were British subjects;

(c) in respect of residence in a foreign country to which the Order relates, in like manner as if such residence were residence in the parts of His Majesty's dominions to which this Act extends;

and thereupon, subject to the provisions of this Part of this Act and of the Order, this Act shall apply accordingly:

Provided that—

(i) before making an Order in Council under this section in respect of any foreign country (other than a country with which His Majesty has entered into a convention relating to copyright), His Majesty shall be satisfied that that foreign country has made, or has undertaken to make, such provisions, if any, as it appears to His Majesty expedient to require for the protection of works entitled to copyright under the provisions of Part I of this Act;

(ii) the Order in Council may provide that the term of copyright within such parts of His Majesty's dominions as aforesaid shall not exceed that conferred by the law of the country to which the Order relates;

(iii) the provisions of this Act as to the delivery of copies of books shall not apply to works first published in such country, except so far as is provided by the Order;

(iv) the Order in Council may provide that the enjoyment of the rights conferred by this Act shall be subject to the accomplishment of such conditions and formalities (if any) as may be prescribed by the Order;

(v) in applying the provision of this Act as to ownership of copyright, the Order in Council may make such modifications as appear necessary having regard to the law of the foreign country;

(vi) in applying the provisions of this Act as to existing works, the Order in Council may make such modifications as appear necessary, and may provide that nothing in those provisions as so applied shall be construed as reviving any right of preventing the production or importation of any translation in any case where the right has ceased by virtue of section five of the International Copyright Act, 1886.

& 50 Vict., 33.

(2) An Order in Council under this section may extend to all the several countries named or described therein.

30. (1) An Order in Council under this Part of this Act shall apply to all His Majesty's dominions to which this Act extends except self-governing dominions and any other possession specified in the Order with respect to which it appears to His Majesty expedient that the Order should not apply.

Application of Part II to British possessions.

(2) The Governor in Council of any self-governing dominion to which this Act extends may, as respects that dominion, make the like Orders as under this Part of this Act His Majesty in Council is authorised to make with respect to His Majesty's dominions other than self-governing dominions, and the provisions of this Part of this Act shall, with the necessary modifications, apply accordingly.

(3) Where it appears to His Majesty expedient to except from the provisions of any Order any part of his dominions not being a self-governing dominion, it shall be lawful for His Majesty by the same or any other Order in Council to declare that such Order and this Part of this Act shall not, and the same shall not, apply to such part, except so far as is necessary for preventing any prejudice to any rights acquired previously to the date of such Order.

PART III.

SUPPLEMENTAL PROVISIONS.

31. No person shall be entitled to copyright or any similar right in any literary, dramatic, musical, or artistic work, whether published or unpublished, otherwise than under and in accordance with the provisions of this Act, or of any other statutory enactment for the time being in force, but nothing in this section shall be construed as abrogating any right or jurisdiction to restrain a breach of trust or confidence.

Abrogation of common law rights.

32. (1) His Majesty in Council may make Orders for altering, revoking, or varying any Order in Council made under this Act, or under any enactments repealed by this Act, but any Order made under this section shall not affect prejudicially any rights or interests acquired or accrued at the date when the Order comes into operation, and shall provide for the protection of such rights and interests.

Provisions as to Orders in Council.

(2) Every Order in Council made under this Act shall be published in the *London Gazette* and shall be laid before both Houses of Parliament as soon as may be after it is made, and shall have effect as if enacted in this Act.

33. Nothing in this Act shall deprive any of the universities and colleges mentioned in the Copyright Act, 1775, of any copyright they already possess under that Act, but the remedies and penalties for infringement of any such copyright shall be under this Act and not under that Act.

Saving of university copyright.

34. There shall continue to be charged on, and paid out of, the Consolidated Fund of the United Kingdom such annual compensation as was immediately before the commencement of this Act payable in pursuance of any Act as compensation to a library for the loss of the right to receive gratuitous copies of books:

Saving of compensation to certain libraries.

Provided that this compensation shall not be paid to a library in any year, unless the Treasury are satisfied that the compensation for the previous

year has been applied in the purchase of books for the use of and to be preserved in the library.

35. (1) In this Act, unless the context otherwise requires,—

Interpretation.

"Literary work" includes maps, charts, plans, tables, and compilations;

"Dramatic work" includes any piece for recitation, choreographic work or entertainment in dumb show, the scenic arrangement or acting form of which is fixed in writing or otherwise, and any cinematograph production where the arrangement or acting form or the combination of incidents represented give the work an original character;

"Artistic work" includes works of painting, drawing, sculpture and artistic craftsmanship, and architectural works of art and engravings and photographs;

"Work of sculpture" includes casts and models;

"Architectural work of art" means any building or structure having an artistic character or design, in respect of such character or design, or any model for such building or structure, provided that the protection afforded by this Act shall be confined to the artistic character and design, and shall not extend to processes or methods of construction;

"Engravings" include etchings, lithographs, wood-cuts, prints, and other similar works, not being photographs;

"Photograph" includes photo-lithograph and any work produced by any process analogous to photography;

"Cinematograph" includes any work produced by any process analogous to cinematography;

"Collective work" means—

(a) an encyclopædia, dictionary, year book, or similar work;

(b) a newspaper, review, magazine, or similar periodical; and

(c) any work written in distinct parts by different authors, or in which works or parts of works of different authors are incorporated;

"Infringing," when applied to a copy of a work in which copyright subsists, means any copy, including any colourable imitation, made, or imported in contravention of the provisions of this Act;

"Performance" means any acoustic representation of a work and any visual representation of any dramatic action in a work, including such a representation made by means of any mechanical instrument;

"Delivery," in relation to a lecture, includes delivery by means of any mechanical instrument;

"Plate" includes any stereotype or other plate, stone, block, mould, matrix, transfer, or negative used or intended to be used for printing or reproducing copies of any work, and any matrix or other appliance by which records, perforated rolls or other contrivances for the acoustic representation of the work are or are intended to be made;

"Lecture" includes address, speech, and sermon;

"Self-governing dominion" means the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland.

(2) For the purposes of this Act (other than those relating to infringements of copyright), a work shall not be deemed to be published or performed in public, and a lecture shall not be deemed to be delivered in public, if published, performed in public, or delivered in public, without the consent or acquiescence of the author, his executors, administrators or assigns.

(3) For the purposes of this Act, a work shall be deemed to be first published within the parts of His Majesty's dominions to which this Act extends, notwithstanding that it has been published simultaneously in some other place, unless the publication in such parts of His Majesty's dominions as aforesaid is colourable only and is not intended to satisfy the reasonable requirements of the public, and a work shall be deemed to be published simultaneously in two places if the time between the publication in one such place and the publication in the other place does not exceed fourteen days, or such longer period as may, for the time being, be fixed by Order in Council.

(4) Where, in the case of an unpublished work the making of a work has extended over a considerable period, the conditions of this Act conferring copyright shall be deemed to have been complied with, if the author was, during any substantial part of that period, a British subject or a resident within the parts of His Majesty's dominions to which this Act extends.

(5) For the purposes of the provisions of this Act as to residence, an author of a work shall be deemed to be a resident in the parts of His Majesty's dominions to which this Act extends if he is domiciled within any such part.

36. Subject to the provisions of this Act, the enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule:

Repeal.

Provided that this repeal shall not take effect in any part of His Majesty's dominions until this Act comes into operation in that part.

37. (1) This Act may be cited as the Copyright Act, 1911.

Short title and commencement.

(2) This Act shall come into operation—

(a) in the United Kingdom, on the first day of July nineteen hundred and twelve or such earlier date as may be fixed by Order in Council;

(*b*) in a self-governing dominion to which this Act extends, at such date as may be fixed by the Legislature of that dominion;

(*c*) in the Channel Islands, at such date as may be fixed by the States of those islands respectively;

(*d*) in any other British possession to which this Act extends, on the proclamation thereof within the possession by the Governor.

SCHEDULES.

Section 24.

FIRST SCHEDULE.

EXISTING RIGHTS.

Existing Right.	Substituted Right.
(*a*) *In the case of Works other than Dramatic and Musical Works.*	
Copyright	Copyright as defined by this Act.*
(*b*) *In the case of Musical and Dramatic Works.*	
Both copyright and performing right.	Copyright as defined by this Act.*
Copyright, but not performing right.	Copyright as defined by this Act, except the sole right to perform the work or any substantial part thereof in public.
Performing right, but not copyright.	The sole right to perform the work in public, but none of the other rights comprised in copyright as defined by this Act.

* In the case of an essay, article, or portion forming part of and first published in a review, magazine, or other periodical or work of a like nature, the right shall be subject to any right of publishing the essay, article, or portion in a separate form to which the author is entitled at the commencement of this Act, or would, if this Act had not been passed, have become entitled under section eighteen of the Copyright Act, 1842.

For the purposes of this Schedule the following expressions, where used in the first column thereof, have the following meanings :—

"Copyright," in the case of a work which according to the law in force immediately before the commencement of this Act has not been published before that date and statutory copyright wherein depends on publication, includes the right at common law (if any) to restrain publication or other dealing with the work;

"Performing right," in the case of a work which has not been performed in public before the commencement of this Act, includes the right at common law (if any) to restrain the performance thereof in public.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
8 Geo. 2, c. 13	The Engraving Copyright Act, 1734 ...	The whole Act.
7 Geo. 3, c. 38	The Engraving Copyright Act, 1767 ...	Ditto.
15 Geo. 3, c. 53	The Copyright Act, 1775 ...	Ditto.
17 Geo. 3, c. 57	The Prints Copyright Act, 1777 ...	Ditto.
54 Geo. 3, c. 56	The Sculpture Copyright Act, 1814 ...	Ditto.
3 & 4 Will. 4, c. 15.	The Dramatic Copyright Act, 1833 ...	Ditto.
5 & 6 Will. 4, c. 65.	The Lectures Copyright Act, 1835 ...	Ditto.
6 & 7 Will. 4, c. 59.	The Prints and Engravings Copyright (Ireland) Act, 1836.	Ditto.
6 & 7 Will. 4, c. 110.	The Copyright Act, 1836 ...	Ditto.
5 & 6 Vict., c. 45	The Copyright Act, 1842 ...	Ditto.
7 & 8 Vict., c. 12	The International Copyright Act, 1844	Ditto.
10 & 11 Vict., c. 95.	The Colonial Copyright Act, 1847 ...	Ditto.
15 & 16 Vict., c. 12.	The International Copyright Act, 1852	Ditto.
25 & 26 Vict., c. 68.	The Fine Arts Copyright Act, 1862 ...	Sections one to six. In section eight the words "and pursuant "to any Act for "the protection "of copyright engravings," and "and in any such "Act as aforesaid." Sections nine to twelve.
38 & 39 Vict., c. 12.	The International Copyright Act, 1875	The whole Act.
39 & 40 Vict., c. 36.	The Customs Consolidation Act, 1876	Section forty-two, from "Books wherein" to "such copyright will expire," Sections forty-four, forty-five, and one hundred and fifty-two.
45 & 46 Vict., c. 40.	The Copyright (Musical Compositions) Act, 1882.	The whole Act.
49 & 50 Vict., c. 33.	The International Copyright Act, 1886	Ditto.
51 & 52 Vict., c. 17.	The Copyright (Musical Compositions) Act, 1888.	Ditto.
52 & 53 Vict., c. 42.	The Revenue Act, 1889 ...	Section one, from "Books first published" to "as provided in that section."
6 Edw. 7, c. 36.	The Musical Copyright Act, 1906 ...	In section three the words "and "which has been "registered in accordance with "the provisions of "the Copyright "Act, 1842, or of "the International "Copyright Act, "1844, which registration may "be effected notwithstanding "anything in the "International "Copyright Act, "1886."

THE SECOND SCHEDULE.

REPEAL OF ENACTMENTS.

(See section 15.)

Year.	No.	Short Title.	Extent of Repeal.
1847	XX	The Indian Copyright Act, 1847.	So much as has not already been repealed.
1867	XXV	The Press and Registration of Books Act, 1867.	In section 18 the following words, namely:—" Every registration under this section shall, upon the payment of the sum of two rupees to the office keeping the said Catalogue, be deemed to be an entry in the Book of Registry kept under Act No. XX of 1847 (for the encouragement of learning in the territories subject to the government of the East India Company, by the defining and providing for the enforcement of the right called copyright therein); and the provisions contained in that Act as to the said Book of Registry shall apply *mutatis mutandis* to the said Catalogue."
1878	VIII	The Sea Customs Act, 1878.	Clause (*a*) of section 18.

STATEMENT OF OBJECTS AND REASONS.

THE question of the amendment of the Indian Copyright Act (XX of 1847) has been considered on several occasions since 1864 on the ground that the Act was incomplete and did not provide, among other matters, for the protection of copyright in Photographs, translations, newspaper, telegrams, etc. Legislation, however, has been postponed in view of the possibility of an amendment of the English Acts on the subject of copyright.

In 1908 a Conference and Convention, to which Great Britain was a party, was held in Berlin with the object of bringing the domestic laws of all countries concerned into harmony with one another so as to obtain international uniformity of treatment and the ratification of that Convention involved certain changes in the English law. Its provisions were examined by a strong departmental committee appointed by the Board of Trade which came to the unanimous conclusion that the Berlin Convention should be accepted by Great Britain with as few reservations as possible.

An Imperial Copyright Conference was subsequently convened in 1910 containing representations of the self-governing dominions and of the India Office, Colonial Office, etc. It endorsed the recommendation of the Board of Trade Committee and recommended that an Act dealing with the essentials of Imperial Copyright Law should be passed by the Imperial Parliament and that this Act should be expressed to extend to all British possessions subject to the rights of self-governing dominions and possessions to modify or add to its provisions by legislation in certain cases affecting only procedure and remedies.

A Draft Bill was approved by the Conference and eventually passed into law as the Copyright Act, 1911 (1 and 2 Geo. 5, Ch. 46), which came into operation in the United Kingdom on 1st July 1912.

The important changes in the Act are—

(*i*) The abolition of the formality of registration of copyright.

(*ii*) The extension of the term of copyright from 42 years to one of life and 50 years subject to certain conditions.

(*iii*) The extension of the scope of copyright.

(*iv*) The substitution of one Act for several on the subject of copyright.

The Government of India considered that the early introduction of the Act into India was desirable both for Imperial and International as well as domestic reasons and consulted Local Governments in regard to the modifications and additions referred to in section 27 of the Act that might be necessary to suit the special conditions of India. In view, however, of difficulties that were experienced in England through the non-proclamation in India of the Act of 1911 and having regard to the serious hardship and loss which might thereby be inflicted on English Authors, the Act was brought into force in India by proclamation in the Gazette of India on the 31st October 1912 under section 37 (2) (*d*) of the Act, the question of modifications or additions being postponed for subsequent consideration on receipt of the views of Local Governments. These are in substantial agreement with those of the Government of India who propose by virtue of the powers conferred by section 27 of the Act of 1911 to pass the Draft Bill which embodies the modifications in and additions to the Act which are considered desirable, together with certain formal and necessary alterations due to the difference between English and Indian administration and procedure.

It will be observed that the changes proposed are as few as possible in view of the desirability of securing that uniformity throughout the Empire which was advocated by the Imperial Copyright Conference of 1910.

Clause 3.—This contains purely formal modifications necessary for the application of the Act of 1911 to British India.

Clause 4.—Under sections 1-3 of the Act of 1911 the term for which copyright subsists in translations is the life of the author and a period of fifty years after his death.

The special linguistic conditions of India render desirable a substantial relaxation of the above provision. The languages spoken in India are so numerous and differ so widely that the conditions which prevail cannot be compared with those in most European countries and vernacular translations from English and from one vernacular to another are not only common but serve the useful purpose of disseminating knowledge. It is proposed, therefore, that translations of works first published in British India should be permitted after the expiry of five years from the date of first publication, provided that two years' notice of the intention to publish a translation has been given to the author.

This proposal is considered to be a sufficient safeguard of and a reasonable compromise between rights of the author and those of the public.

Clause 5.—The provisions of section 19 of the Act of 1911 are new, and in view of the peculiar conditions of Indian music objections have been urged against the application of this section *in toto* to Indian works. It is pointed out that it is impossible in most cases to identify the original composer or author and that the majority of Indian melodies have not been written in staff notation except through the medium of the phonograph and are subject to infinite variety of notation and tune. If, under these circumstances, section 19 is adopted with its retro-active principal there may be fictitious claims of ownership in musical works and much confusion and undesirable litigation. To make it clear that in order to fall within the definition of "musical work" music must have been graphically represented it is proposed to adopt *mutatis mutandis* the definition of the term "musical work," contained in the English Musical Copyright Act, 1902, *viz.*, "musical work means any combination of melody and harmony or either of them printed, reduced to writing."

Clause 6.—Section 18 (*a*) of the Sea Customs Act, 1878, prohibits importation in the case of books alone, the copyright whereof subsists in India. In view of the extension of the Act of 1911, to works other than books and the difference in procedure it is proposed to repeal this section and enact the appropriate provisions as the necessary modifications referred to in section 14 (7) of the Act of 1911.

Clauses 7-12.—The provisions of section 11 of the Act of 1911 have been in the main adopted. Imprisonment, however, will in all cases be simple, and offences will be triable by a Magistrate of the first class only. It is proposed to convert the amount of English fines on the basis of £ 1 = Rs. 10 in accordance with the usual practice and to insert a clause exempting the case of infringement by the construction of a building from the operation of summary remedies, thus giving effect to the similar exemption provided by section 9 of the English Act.

Clause 13.—On account of the technicalities of the subject of copyright, and of the greater finality that such a tribunal will afford, it has been considered advisable to give jurisdiction to High Courts only in all suits or civil proceedings regarding infringement of copyright.

Clause 14.—This clause which is self-explanatory has been added in view of a recent decision in Evans *vs.* Morris reported in the Law Journal of 29th March 1913.

The 30th July, 1913. HARCOURT BUTLER.

W. H. VINCENT,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 9th September, 1913:

No. 8 OF 1913.

A Bill to amend the Provincial Small Cause Courts Act, 1887.

WHEREAS it is expedient to amend the Provincial Small Cause Courts Act, 1887; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Provincial Small Cause Courts (Amendment) Act, 19 .

Amendment of Article 35, Schedule II, Act IX of 1887.

2. In Article 35 of Schedule II of the Provincial Small Cause Courts Act, 1887 (hereinafter called the said Act), the following amendments shall be made, namely:— IX of 1887.

(1) After item (*i*), the following item shall be inserted:—

"(*ii*) for any offence specified in Chapter XVII of the Indian Penal Code." XLV of 1860.

(2) To item (*j*) the following words shall be added: "or for trespass or damage committed in the illegal or improper execution of any other legal process or search."

Insertion of new Article 43-A, in Schedule II, Act IX of 1887.

3. After Article 43 of the same Schedule of the said Act, the following Article shall be inserted, namely:—

"(43-A) a suit to recover property obtained by the commission of any offence specified in Chapter XVII of the Indian Penal Code." XLV of 1860

STATEMENT OF OBJECTS AND REASONS.

Under the existing law, certain suits which practically involve a criminal charge against the defendants are cognizable by Provincial Small Cause Courts, if their value is within the pecuniary jurisdictions of such tribunals. At the same time they are triable by a summary procedure which allows no right of appeal upon the facts and requires no full record of the evidence. This position is unsatisfactory, in that it deprives the defendant of the possibility of clearing his character by an appeal from an adverse decree. Additions are therefore proposed to Schedule II of Act IX of 1887, which provide for the exclusion from the cognizance of Provincial Small Cause Courts of all suits for compensation for any offence under Chapter XVII of the Indian Penal Code or for the recovery of any property taken in the commission of such offence.

2. It is further proposed to modify item (*j*) of Article 35 in Schedule II of Act IX of 1887 so as to include trespass or damage committed in the illegal or improper execution of any other legal process or search. Such cases are analogous to those already specified in items (*b*), (*c*) and (*k*) of the same Article.

The 16th June, 1913. R. H. CRADDOCK.

W. H. VINCENT,
Secretary to the Government of India.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 9th September, 1913:

No. 9 OF 1913.

A Bill to prevent the introduction into British India of any insect, fungus or other pest, which is or may be destructive to crops.

WHEREAS it is expedient to make provision for preventing the introduction into British India of any insect, fungus or other pest, which is or may be destructive to crops; It is hereby enacted as follows:—

Short title.

1. This Act may be called The Destructive Insects and Pests Act, 1913.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*a*) "crops" includes all agricultural or horticultural crops, and trees or bushes;

(*b*) "import" means the bringing or taking by sea or land; and

(*c*) "infection" means infection by any insect, fungus or other pest injurious to a crop.

Power of Governor General in Council to regulate or prohibit the import of articles likely to infect.

3. (*1*) The Governor General in Council may, by notification in the Gazette of India, prohibit or regulate, subject to such restrictions and conditions as he may impose, the import into British India, or any part thereof, or any specified place therein, of any article or class of articles likely to cause infection to any crop.

(*2*) A notification under this section may specify any article or class of articles, either generally or in any particular manner, whether with reference to the country of origin, or the route by which imported or otherwise.

Operation of notification under section 3.

4. A notification under section 3 shall operate as if it had been issued under section 19 of the Sea Customs Act, 1878, and the officers of Customs at every port shall have the same powers in respect of any article with regard to the importation of which such a notification has been issued as they have for the time being in respect of any article the importation of which is regulated, restricted or prohibited by the law relating to Sea Customs and the law for the time being in force relating to Sea Customs or any such article shall apply accordingly.

Power of Local Government to make rules.

5. (*1*) The Local Government may, subject to the control of the Governor General in Council, make rules for the detention, inspection, disinfection or destruction of any article in respect of which a notification has been issued under section 3 or of any article which may have been in contact or proximity thereto, and for regulating the powers and duties of the officers whom it may appoint in this behalf.

(*2*) In making any rule under this section the Local Government may direct that a breach thereof shall be punishable with fine, which may extend to one thousand rupees.

Protection to persons acting under Act.

6. No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

STATEMENT OF OBJECTS AND REASONS.

THIS Bill is the outcome of representations made by the Bombay Chamber of Commerce in 1906, and it has been prepared after consultation with experts and with a considerable number of bodies and persons interested in gardening and agriculture. It gives power to Government to control the importation into British India of articles likely to cause infection to crops, and is based partly on the corresponding English Acts of 1877 and 1907, and partly on the provisions of the Indian Livestock Inspection Act of 1898.

2. Action under the Bill would be taken in respect of certain crops only and would assume various forms according to the crop or the class of infection concerned. In some cases, for instance, importation would be prohibited except at certain ports, and then after fumigation. In others, importation would have to be accompanied by certificates of freedom from disease; while in others, importation would be allowed under a license from the Agricultural Department.

The 17th July, 1913. E. D. MACLAGAN.

W. H. VINCENT,
Secretary to the Government of India.

Government Gazette,

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, SEPTEMBER 26, 1913.

PART IV.

Bills introduced into the Council of the Governor General for making Laws and Regulations, or published under Rule 23.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 17th September, 1913:

No. 10 OF 1913.

A Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898.

WHEREAS it is expedient further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, for the purpose of affording greater protection to minors; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Indian Criminal Law and Procedure Amendment Act, 19 .

Amendment of sections 372 and 373, Act XLV of 1860.

2. In sections 372 and 373 of the Indian Penal Code, for the words "shall be employed or used for the purpose of prostitution, or for any unlawful and immoral purpose, or knowing it to be likely that such minor will be" the words "shall, at any age, be employed or used for the purpose of prostitution or illicit sexual intercourse, with any person or for any unlawful and immoral purpose, or knowing it to be likely that such minor, at any age, will be" shall be substituted.

Further amendment of section 372, Act XLV of 1860.

3. In section 372 of the same Code, the following Explanations shall be added, namely :—

"*Explanation I.*—When a minor female under the age of sixteen years is sold, let for hire, or otherwise disposed of to a common prostitute, the person so disposing of such minor shall, until the contrary is proved, be deemed to have disposed of such minor with the intent mentioned in this section.

"*Explanation II.*—Illicit sexual intercourse means sexual intercourse not sanctioned by law or custom."

Further amendment of section 373, Act XLV of 1860.

4. To section 373 of the same Code, the following Explanation shall be added, namely :—

"*Explanation.*—Any common prostitute who buys, hires, or otherwise obtains possession of a minor female under the age of sixteen years shall, until the contrary is proved, be deemed to have obtained possession of such minor with the intent mentioned in this section."

Amendment of section 552, Act V of 1898.

5. In section 552 of the Code of Criminal Procedure, 1898, for the word "fourteen" the word "sixteen" shall be substituted. V of 1898.

V of 1898.

Insertion of new sections after section 552, Act V of 1898.

6. After section 552 of the Code of Criminal Procedure, 1898, the following sections shall be inserted, namely :—

Power to remove minor girls from undesirable guardianship.

"**552A.** (*1*) A Presidency or District Magistrate, upon receiving a complaint on oath, or upon his own knowledge or suspicion, that a female child, under the age of sixteen years,—

(*a*) frequents the company of any common prostitute; or

(*b*) is lodging or residing in a house, or other place used as a human dwelling, or the part of a house or such place, used by any prostitute for purposes of prostitution, or is otherwise living in circumstances calculated to cause, encourage or favour the seduction or prostitution of the child,

may, subject to the restrictions provided in the following sub-sections, make an order removing the child from the custody of the person with whom she is living and committing her to other and suitable custody, until she attains the age of majority:

"Provided that a child shall not be treated as coming within the scope of clause (*a*), if the only common prostitute whose company the child frequents is the mother of the child, and that the mother exercises proper guardianship and due care to protect the child from physical and moral contamination.

"(*2*) Before making an order under sub-section (*1*) the Magistrate may make such inquiry as he thinks fit, and shall issue a notice to the person with whom the child is living and shall hear and consider any evidence which he may adduce.

"(*3*) No order under sub-section (*1*) shall be made—

(*a*) if an order of a competent Civil Court appointing a guardian of the person of the minor is in force; or

(*b*) unless the Magistrate is satisfied that suitable provision can be made for the custody of the child;

and in considering to what custody the child should be committed, the Magistrate shall give preference to the custody of a person of the same religion as the child.

"(*4*) The Magistrate may, at any time, cancel or vary an order made under sub-section (*1*) or may, with the consent of the person to whose custody the child is committed, annex such conditions thereto as he thinks fit, and, in such a case, such custodian shall be legally bound to observe such conditions.

Power to require payment of maintenance for a child who is the subject of an order under section 552A.

"**552B.** (*1*) When by an order under section 552A, sub-section (*1*), a female child is removed from the custody of any person liable to maintain such child, the Magistrate making the order may, either at the time of making the order, or at any subsequent date before such child attains the age of majority, make an order on such person for the payment, during the whole or any part of the time before the child attains the age of majority, of such monthly sum to the person to whose custody the child is committed as, having regard to the circumstances of the case, seems reasonable.

"(*2*) Every such order shall be enforceable as if it were an order for maintenance made under section 488.

"(*3*) The person to whom any sum is paid in compliance with an order under sub-section (*1*) shall apply the same for the maintenance and benefit of the child in respect of whom the order is made.

"(*4*) The Magistrate may vary or cancel any order made under this section on application either by the person on whom, or in favour of whom, the order was made:

"Provided that no such order shall be varied or cancelled without notice to the person other than the applicant affected by such order.

"(*5*) Where there is any person other than the parent liable to maintain the child, an order under this section may be made on that person, notwithstanding that there may also be a parent.

Powers and protection of custodians under an order under section 552A.

"**552C.** (*1*) Any person to whose custody a female child has been committed by an order under section 552A shall, whilst the order is in force, be deemed to be the lawful guardian of the person of such child; and the child shall continue in the custody of such person, notwithstanding that she is claimed by her parent or any other person.

"(*2*) If an order under section 552A (*1*) is made in respect of any child and a guardian of the person of such child is subsequently appointed by a competent Civil Court, the child shall be made over to the guardian so appointed and the order of the Magistrate shall be discharged.

"(*3*) Save as herein expressly provided, no Court shall entertain any suit or other legal proceeding to enforce any right or power which would interfere with the control of the custodian over the child which is provided for by sub-section (*1*)."

STATEMENT OF OBJECTS AND REASONS.

On the 18th September, 1912, Mr Dadabhoy, who was then a Member of the Imperial Legislative Council, introduced in it a Bill for the protection of women and girls and other purposes. That Bill was circulated for the opinion of Local Governments, whose reports were duly received and in the light of them it is considered that, while Mr. Dadabhoy's measure, in the form in which it was introduced, is not altogether suitable, nevertheless the degree of acceptance which has been accorded to the principle underlying it, namely, the desirability of strengthening the law, safeguarding minor girls and of affording some facilities for the rescue of children from undesirable surroundings, justifies a cautious advance in this

direction, which it is the object of the present Bill to effect. Apart from a minor amendment to section 552 of the Criminal Procedure Code, the clauses of the Bill fall within two main categories: firstly, those which are designed to remedy defects which have been shown to exist in the working of sections 372 and 373 of the Indian Penal Code; and secondly, those which prescribe an optional procedure by which minor girls may be removed from improper guardianship under the orders of a magistrate. The purport of the principal clauses is noted below.

Clause 2.—The amendment is designed to make it clear that an offence is committed under section 372 or 373 of the Indian Penal Code, when the minor is either disposed of or procured for the purpose of being sexually known either before or after attainment of the age of sixteen, and whether she is made over to a life of immorality or merely subjected to an isolated act of carnal intercourse. In either case, the child is equally deserving of protection.

Clause 3.—The first explanation declares the presumption that if a minor girl is disposed of to a common prostitute, the person so disposing of her shall have done so with the improper intent mentioned in section 372 of the Indian Penal Code.

The second explanation defines the offence of illicit sexual intercourse as sexual intercourse which is not sanctioned by law or custom. It has been pointed out by several Local Governments that irregular sexual relationships prevail in certain localities which, while falling short of legal marriage, are recognized as practically equivalent to it, and do not demand the special protection of any girl affected by them; these it is proposed to exempt from the operation of the Bill.

Clause 4.—The amendment is consequential to the first explanation added by clause 3.

Clause 5.—The age limit in section 552 of the Criminal Procedure Code, under which a magistrate may compel the restoration of abducted females, is fourteen. It is thought that an additional measure of protection can safely be afforded by the enhancement of this age to sixteen.

Clause 6.—The amendments to sections 372 and 373 of the Indian Penal Code mentioned above provide for the punishment of those who dispose of or procure children with improper intent; the provisions of clause 6 *et sequitur* are supplementary, in that they deal with the rescue of the children themselves from surroundings in which they are likely to be exposed to moral risk. The clause empowers a presidency or district magistrate, either on private complaint or of his own knowledge or suspicion, after inquiry, to direct the removal of minor girls until the age of majority from the custody of undesirable guardians (including a mother, unless the latter can show that she has taken steps to protect her daughter from physical and moral contamination), if prostitution or seduction is likely to result, provided that the magistrate is satisfied that proper arrangements can be made for the care of the child preferably with a person of the same religion. No such order may be made, however, if an order of a competent civil Court appointing a guardian of the person of the minor is in force. Power is further taken to cancel or vary an order or to attach conditions to the custody of the child, and discretion is given to the magistrate to direct the payment of reasonable maintenance of the child by the person liable for its support. Lastly, protection is given to those to whose custody children may be made over in these circumstances, though the subsequent order of a competent civil Court appointing a guardian shall discharge the order of the magistrate making the child over to any other custody.

The 10th September, 1913. R. H. CRADDOCK.

W. H. VINCENT,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 17th September, 1913:

No 11 OF 1913.

A Bill to decentralize and otherwise to facilitate the administration of certain enactments.

WHEREAS it is expedient to decentralize and otherwise to facilitate the administration of certain enactments; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Decentralization Act, 19 .

Amendment of certain enactments.

2. The enactments specified in the third column of the Schedule are hereby amended to the extent and in the manner specified in the fourth column thereof.

Saving of orders, etc., issue by previous authorities.

3. Any appointment, notification, order, scheme, rule, form or bye-law made or issued by an authority for the making or issuing of which a new authority is substituted by or under this Act shall, unless inconsistent with this Act, be deemed to have been made or issued by such new authority unless and until superseded by an appointment, notification, order, scheme, rule, form or bye-law made or issued by such new authority.

THE SCHEDULE.

PART I.

Acts of the Governor General of India in Council.

Year.	No.	Short title.	Amendments.
1847	IX	The Bengal Alluvion and Diluvion Act, 1847.	In sections 5 and 6 for the words "Board of Revenue whose orders thereupon shall be final" substitute the words "Commissioner when the amount involved does not exceed five thousand rupees and in any other case to the Board of Revenue. The orders of the Commissioner or of the Board of Revenue, as the case may be, shall be final."
1859	XI	The Bengal Land Revenue Sales Act, 1859...	1. In section 19 for the words "Board of Revenue" substitute the word "Commissioner" and for the word "they" the word "he." 2. In section 26 omit the words "if they see cause may recommend to the Local Government to annul the sale; and the Local Government in any such case." 3. In section 32 for the word "Government," where that word occurs for the first time, substitute the words "the Board of Revenue." 4. In section 49 omit the words "or the Local Government."
"	XII	The Calcutta Pilots Act, 1859	In section 17 omit the words "with the sanction of the Governor General in Council" and the words "and sanctioned."
"	XXIV	The Madras District Police Act, 1859 ...	1. In section 5 omit the words "and who shall receive such salary as the Governor General of India in Council shall allow." 2. In section 8 for the words "with the sanction" substitute the words "subject to the control."
1861	V	The Police Act, 1861	In section 2 for the word "sanction" substitute the word "control."
1863	XXIII	The Waste-lands (Claims) Act, 1863 ...	1. In section 5 omit the words "Board of Revenue or other" and insert after the word "authority," where that word occurs for the first time, the words "to which he is immediately subordinate" and omit the words "Board or other," wherever these words occur in the section. 2. In sections 4, 6, 10, 22 and 23 for the words "Local Government," wherever these words occur, substitute the words "Board of Revenue."
1871	I	The Cattle Trespass Act, 1871	In section 26 for the words "The Local Government," wherever these words occur, substitute the words "the Magistrate of the District."

THE SCHEDULE.

PART I.

Acts of the Governor General of India in Council—contd.

Year	No.	Short title.	Amendments.
1872	IV	The Punjab Laws Act, 1872 ...	In section 50-A for the word "No" substitute the word "All" and for the word "valid" substitute the words "subject to the control of the Governor General in Council and no such rules shall be valid" and omit clause (c).
1873	III	The Madras Civil Courts Act, 1873 ...	1. In sections 3 and 4 omit the provisos. 2. In section 6 omit the words "or whenever the Governor General in Council has sanctioned an addition to the number of District Judges or Subordinate Judges under the provisions of section 3 or section 4." 3. In section 7 omit the words "or whenever the Governor General in Council has sanctioned an addition to the number of District Munsifs under the provisions of section 4." 4. In section 28 for the words "Local Government" substitute the words "High Court" and omit the words "rupees fifty or on the recommendation of the High Court up to any amount not exceeding."
"	VIII	The Northern India Canal and Drainage Act, 1873.	1. In section 65 omit the words "with the previous sanction of the Governor General in Council." 2. In section 75 for the words "with the previous sanction" substitute the words "subject to the control" and for the words "with the like sanction" substitute the words "subject to the like control."
1874	IX	The European Vagrancy Act, 1874 ...	1. In section 11 omit the words "with the previous sanction of the Governor General in Council." 2. In section 14 for the words "with the previous sanction" substitute the words "subject to the control." 3. In section 36 for the words "the Governor General in Council" substitute the words "the Local Government subject to the control of the Governor General in Council" and for the words "Gazette of India" substitute the words "local official Gazette."
1876	VI	The Chota Nagpur Incumbered Estates Act, 1876.	In section 19 after the word "may," where that word occurs for the first time, insert the words "subject to the control of the Governor General in Council" and omit the words "approved by the Governor General in Council and."
"	XIX	The Dramatic Performances Act, 1876 ...	In section 10 omit the words "with the sanction of the Governor General in Council."

THE SCHEDULE.

PART I.

Acts of the Governor General of India in Council—contd.

Year.	No.	Short title.	Amendments.
1878	VIII	The Sea Customs Act, 1878	1. In section 9 omit the words "with the sanction of the Local Government." 2. In sections 11, 12, 14, 19A, 53, 75, 78, 79, 83, 85, 96, 116, 130, 144, 147, 148, 151 proviso, and 182, for the words "Local Government," wherever these words occur, substitute the words "Chief Customs-authority." 3. In sections 15, 16, 17, 26, 56, 76, 104, 105, 106, 107, 117, 122, 162, 179 and 199, for the words "Chief Customs-authority" substitute the words "Chief Customs Officer" and for the word "its," when used in relation to the Chief Customs-authority, substitute the word "his." 4. In the proviso to section 42, after the words "Chief Customs-authority" insert the words "or the Chief Customs Officer" and to the said proviso, add the following words, namely, "Provided further that the Chief Customs Officer shall not extend the term to a period exceeding three years." 5. In sections 101 and 125, for the words "Chief Customs-authority or such officer of Customs as such authority from time to time appoints in this behalf," substitute the words "Chief Customs Officer." 6. In section 107, for the word "authority" substitute the word "officer." 7. In section 128, for the words "Governor General in Council" substitute the words "Local Government;" and for the words "Gazette of India," substitute the words "local official gazette." 8. In section 133, for the words "with the previous sanction" substitute the words "subject to the control." 9. In section 164, for the words "the Chief Customs-authority may" substitute the words "the Chief Customs Officer may grant or"; for the words "the Chief Customs-authority" and "such authority," wherever these words occur elsewhere in the section, substitute the words "the Chief Customs Officer"; and before the words "was authorized," insert the words "made or." 10. In the Schedule in section 167 in entries 6 and 7, for the words "Chief Customs-authority" substitute the words "Chief Customs Officer" and in entries 13 and 54 for the words "Local Government" substitute the words "Chief Customs-authority." 11. In section 206, for the words "Customs Collector shall, with the sanction of the Chief Customs-authority" substitute the words "Chief Customs Officer or, the Customs Collector, with the sanction of the Chief Customs Officer, shall" and add the following pro viso, namely:— "Provided that compensation exceeding Rs. 250 shall be paid with the sanction of the Chief Customs-authority."

THE SCHEDULE.

PART I.

Acts of the Governor General of India in Council—contd.

Year.	No.	Short title.	Amendments.
1879	III	The Destruction of Records Act, 1879 ...	In section 5 omit the words "and sanctioned by the Governor General in Council."
"	XIII	The Oudh Civil Courts Act, 1879 ...	1. In section 7 omit the words "and with the previous sanction of the Governor General in Council." 2. In section 17 for the words "Local Government" substitute the words "Judicial Commissioner" and omit the words "on the recommendation of the Judicial Commissioner." 3. In section 24 for the words "Local Government" substitute the words "Judicial Commissioner."
1879	XIV	The Hackney-carriage Act, 1879 ...	1. In section 3 for the words "Local Government," wherever these words occur, substitute the word "Commissioner" 2. In section 4 omit the words "subject to the control of the Governor General in Council." 3. In section 5 for the words "Local Government," where these words occur for the first time, substitute the word "Commissioner."
"	XVII	The Dekkhan Agriculturists' Relief Act, 1879.	1. In sections 34, 38, 40 and 55 for the words "Local Government," wherever they occur in these sections, substitute the word "Commissioner." 2. In section 55 for the word "it," except where that word occurs for the last time, substitute the word "he" and for the word "it," where it occurs for the last time, substitute the word "him."
1880	V	The Burma Boundaries Act, 1880 ...	In sections 28 and 32 for the words "Chief Commissioner" substitute the words "Financial Commissioner subject to the control of the Local Government."
"	XIII	The Vaccination Act, 1880	1. In section 2, clause (7), omit the words "by the Local Government." 2. In section 4 for the words "with the previous sanction" substitute the words "subject to the control." 3. In sections 8 and 19 for the words "Local Government," wherever they occur in these sections, substitute the word "Commissioner."
1881	XXVI	The Negotiable Instruments Act, 1881 ...	1. In the definition of "notary public" in section 3 for the words "Governor General in Council" substitute the words "Local Government." 2. In sections 138 and 139 for the words "Governor General in Council" substitute the words "Local Government."
1883	I	The Central Provinces Local Self-government Act, 1883.	In section 32 (1) omit the words "with the previous approval of the Governor General in Council."

THE SCHEDULE.

PART I.

Acts of the Governor General of India in Council—contd.

Year.	No.	Short title.	Amendments.
1883	XIX	The Land Improvement Loans Act, 1883 ...	1. In section 10, omit the words "subject to the control of the Governor General in Council." 2. After section 11, add the following section:— "12. The powers conferred on a Local Government by sections 4 (1), 5 (1), 10 and 11 may, in a province for which there is a Board of Revenue or a Financial Commissioner, be exercised in the like manner and subject to the like conditions by such Board or Financial Commissioner, as the case may be: Provided that rules made by a Board of Revenue or Financial Commissioner shall be subject to the control of the Local Government." [Margin: Certain powers of Local Government to be exerciseable by Board of Revenue or Financial Commissioner.]
"	XX	The Punjab District Boards Act, 1883 ...	1. In section 36, sub-section (2), after the words "as the", wherever they occur, insert the words "Local Government, subject to the control of the". 2. In section 51 omit the words "with the previous approval of the Governor General in Council" and the proviso. 3. In section 55, omit the letter and words "(b) make rules regulating the powers of district boards to make, vary and dispose of investments" from clause (1) and insert them under clause (2) after the words "make rules for"; and to the section, after the words "have been notified" add the words "Rules made under clause (2) (b) shall be subject to the control of the Governor General in Council."
1884	XII	The Agriculturists' Loans Act, 1884 ...	In section 4, sub-section (1), omit the words "subject to the control of the Governor General in Council" and after the words "Local Government" insert the words "or, in a province for which there is a Board of Revenue or Financial Commissioner, such Board or Financial Commissioner, subject to the control of the Local Government."
1886	II	The Indian Income-tax Act, 1886 ...	Add a new section, namely:— "50-A. The Local Government may, by notification in the local official Gazette, delegate all or any of the powers conferred on it by sections 16 (5), 18 (1) (a), (b), (c), 30 (2), (4), 38 (3) and 40 to the Chief Revenue-authority by which expression is meant the Board of Revenue or the Financial Commissioner in those provinces where these authorities exist and in any other case such authority as the Local Government may declare to be the Chief Revenue authority." [Margin: Delegation of certain powers of Local Government.]
1887	IX	The Provincial Small Cause Courts Act, 1887.	In sections 5 and 8 omit the words "with the previous sanction of the Governor General in Council."

THE SCHEDULE.

PART I.

Acts of the Governor General of India in Council—contd.

Year.	No.	Short title.	Amendments.
1887	XII	The Bengal, Agra and Assam Civil Courts Act, 1887.	1. For section 4 substitute the following section, namely:— "4. The Local Government may alter the number of Subordinate Judges and Munsifs now fixed and, with the previous sanction of the Governor General, the number of District Judges." [Margin: Number of District Judges, Subordinate Judges and Munsifs.] 2. Omit section 5. 3. In section 6 (1) for the words "the Governor General in Council has sanctioned an increase of the number of District Judges or Subordinate Judges" substitute the words "an increase in the number of District or Subordinate Judges has been made under the provisions of section 4." 4. In section 7(2) for the words "with the previous sanction" substitute the words "subject to the control." 5. To section 19, sub-section (2), and to sections 25 and 34 (1), add the following proviso, namely:— "Provided that the Local Government may, by notification in the local official Gazette, delegate to the High Court its powers under this section."
"	XVI	The Punjab Tenancy Act, 1887 ...	1. In sections 61(3) and 88(1) omit the words "with the previous sanction of the Governor General in Council." 2. In section 106, sub-section (3), for the words, "not take effect until they have been sanctioned by" substitute the words "be made subject to the control of".
"	XVII	The Punjab Land Revenue Act, 1887 ...	1. In section 7, sub-section (1), omit the words "with the previous sanction of the Governor General in Council." 2. In section 118 (2) omit the words "to the Commissioner" and for the word "Commissioner", where it occurs for the second time substitute the words "authority to whom the appeal has been preferred." 3. In section 155, sub-section (3), omit the words "and rules under clause (c) of sub-section (1) shall not take effect until they have also been confirmed by the Governor General in Council."
1888	XVIII	The Burma Financial Commissioner's Act, 1888.	In section 2, sub-section (1), omit the words "with the previous sanction of the Governor General in Council."

THE SCHEDULE.

PART I.

Acts of the Governor General of India in Council—contd.

Year.	No.	Short title.	Amendments.
1890	I	The Revenue Recovery Act, 1890 ...	In section 3, sub-section (2), after the word "it" insert the words "or any officer to whom such Collector may, by order in writing, delegate this duty."
1892	VII	The Madras City Civil Court Act, 1892 ...	In section 10 omit the words "and the sanction of the Governor General in Council."
1894	I	The Land Acquisition Act, 1894 ...	In section 55, sub-section (1), after the word "shall" insert the words "subject to the control of the Governor General in Council" and in sub-section (3) of the same section omit the words "when sanctioned by the Governor General in Council."
1895	XIV	The Pilgrim Ships Act, 1895 ...	In section 58, sub-section (2), omit the words "with the previous sanction of the Governor General in Council."
1896	II	The Cotton Duties Act, 1896 ...	1. In sections 12 and 13 for the words "Chief Customs-authority", wherever they occur in those sections, substitute the word "Collector." 2. In section 16, sub-section (1), for the words "Local Government", wherever they occur, substitute the words "Chief Customs-authority."
"	VIII	The Inland Bonded Warehouses Act, 1896 ...	In section 7 omit the words "with the previous sanction of the Governor General in Council."
1897	VIII	The Reformatory Schools Act, 1897 ...	In section 5 omit the words "with the previous sanction of the Governor General in Council."
1899	II	The Indian Stamp Act, 1899	1. In section 39, sub-section (1), omit the words "upon application made to him in this behalf or if no application is made with the consent of the Chief Controlling Revenue-authority." 2. In section 49 for the words "Governor General in Council" substitute the words "Local Government." 3. In section 51 after the word "Revenue-authority" insert the words "or the Collector or if empowered by the Chief Controlling Revenue Authority in this behalf." 4. After section 76 insert a new section, namely:— "76-A. The Local Government may, by notification in the local official Gazette, delegate— (*Delegation of certain powers.*) (*a*) all or any of the powers conferred on it by sections 2 (9), 33 (3) (*b*), 70 (1), 74 and 78 to the Chief Controlling Revenue-authority, and (*b*) all or any of the powers conferred on the Chief Controlling Revenue-authority by sections 45 ( ) (2), 56 (1) and 70 (2) to such subordinate Revenue-authority as may be specified in the notification."

THE SCHEDULE.

PART I.

Acts of the Governor General of India in Council—contd.

Year.	No.	Short title.	Amendments.
1899	VIII	The Indian Petroleum Act, 1899 ...	To section 5, sub-section (1), after the words "Local Government" add the words "or an officer appointed by the Local Government in this behalf."
1900	VI	The Lower Burma Courts Act, 1900 ...	1. In section 23, sub-section (1), for the words "may be approved by the Governor General in Council" substitute the words "it may think fit." 2. In section 23, sub-section (2), omit the words "with the previous sanction of the Governor General in Council" and the words "of its own authority."
1901	VIII	The Indian Mines Act, 1901 ...	1. In section 20, sub-section (1), for the words "with the previous sanction" substitute the words "subject to the control". 2. In section 29 for the words "The Governor General in Council" substitute the words "The Local Government" and for the words "the Gazette of India" the words "the local official Gazette" and for the word "him" substitute the word "it."
1902	II	The Cantonments (House-accommodation) Act, 1902.	In section 10, sub-section (1), for the words "Local Government" substitute the word "Commissioner".
1903	XVI	The Central Provinces Municipal Act, 1903.	1. In section 51, sub-section (3), for the words "Governor General in Council" substitute the words "Local Government." 2. In section 149, sub-section (1), omit the words "with the previous sanction of the Governor General in Council."
1904	IV	The North-West Border Military Police Act, 1904.	In section 18 for the words "with the previous sanction" substitute the words "subject to the control."
"	VII	The Ancient Monuments Preservation Act, 1904.	1. In section 3 for the words "Local Government," wherever these words occur, substitute the word "Commissioner." 2. In section 4, sub-section (2), for the words "with the like sanction" substitute the words "with the sanction of the Commissioner" and in sub-section (3) of the same section omit the words "with the sanction of the Local Government." 3. In section 5 in sub-sections (1) and (5) for the words "Local Government" substitute the word "Commissioner." 4. In sections 18 and 20 for the words "Local Government", wherever they occur, substitute the word "Commissioner."
1907	III	The Provincial Insolvency Act, 1907 ...	In section 3, sub-section (1), omit the words "with the previous sanction of the Governor General in Council."
1908	XIII	The Central Provinces Financial Commissioner's Act, 1908.	In section 2, sub-section (2), omit the words "with the previous sanction of the Governor General in Council."

THE SCHEDULE.

PART I.

Acts of the Governor General of India in Council—concld.

Year.	No.	Short title.	Amendments.
1908	V	The Code of Civil Procedure, 1908 ...	In section 138, sub-section (1), for the words "Local Government" substitute the words "High Court."
"	XVI	The Indian Registration Act, 1908 ...	1. In section 6 after the word "and" insert the words "the Inspector General of Registration may appoint any such persons as he thinks fit." 2. In section 12 for the words "Local Government" substitute the words "Inspector General of Registration." 3. In section 13, sub-section (1), before the word "all" insert the words "all appointments made by the Inspector General under section 6 and." 4. To section 13 (3) add the words "and the Inspector General of Registration may exercise the like power in the case of Sub-Registrars." 5. In sections 14 and 78 for the word "approval" substitute the word "control."
"	XVII	The Indian Emigration Act, 1908 ...	1. In section 11 for the words "Governor General in Council" substitute the words "Local Government." 2. In section 50 for the words "obtained from the Local Government" substitute the words "granted in accordance with the provisions of this Act." 3. In section 51, sub-section (1), for the words "through the Protector of Emigrants to the Local Government" substitute the words "to the Protector of Emigrants." 4. In section 52, sub-section (2), for the words "Local Government" substitute the words "Protector of Emigrants"; and for the word "it" substitute the word "he". 5. In section 53, sub-section (1), clause (a), omit the words "the Protector of Emigrants and." 6. In section 102, sub-section (1), for the words "Governor General in Council" substitute the words "Local Government"; and for the words "Gazette of India" substitute the words "local official Gazette."

THE SCHEDULE.

PART II.

Regulations made by the Governor General of India in Council under section 1 of the Government of India Act, 1870.

Year.	No.	Short title.	Amendments.
1887	VIII	The Ajmer Irrigation Regulation, 1887 ...	In section 4, sub-section (1), for the words "with the previous sanction" substitute the words "subject to the control."
"	XII	The Upper Burma Ruby Regulation, 1887...	1. In section 4 omit the words "with the previous sanction of the Governor General in Council", wherever they occur. 2. In section 5, sub-section (2), clause (b), insert after the word "directs" the words "and in accordance with such conditions, if any, as to the time, place and mode of payment as it may direct" and omit sub-section (3).
1899	I	The Coorg Land and Revenue Regulation, 1899.	In section 60, sub-section (1), omit the words "with the previous sanction of the Governor General in Council."
1900	VI	The Coorg District Fund Regulation, 1900...	1. In section 3 omit the words "with the previous sanction of the Governor General in Council." 2. In section 9 omit the words "with the sanction of the Governor General in Council."
1907	II	The Coorg Municipal Regulation, 1907 ...	1. In section 50, sub-section (3), for the words "Governor General in Council" substitute the words "Chief Commissioner." 2. In section 143, sub-section (1), omit the words "with the previous sanction of the Governor General in Council."

THE SCHEDULE.

PART III.

Bengal Regulations.

Year.	No.	Short title.	Amendments.
1799	V	The Bengal Wills and Intestacy Regulation, 1799.	In section 7, the amendment made by the Repealing and Amending Act, 1903, Schedule II, Part I, is repealed, and for the words "Governor General in Council for his" substitute the words "Board of Revenue, or, in Assam, to the Local Government, for its."

STATEMENT OF OBJECTS AND REASONS.

In accordance with the recommendations of the Royal Commission on Decentralization a general Delegation Bill, providing with certain safeguards for the delegation by notification to a lower authority of powers and duties vested by law in a higher authority, was introduced in the Imperial Legislative Council on the 22nd September, 1911. It was eventually decided, however, to abandon that Bill, and to substitute for it a Decentralization Bill accompanied by schedules indicating precisely the delegations of powers which it is proposed to effect in particular Acts. The draft Bill is confined to Acts of the Imperial Legislature, and provincial Acts will be left to be dealt with in local Decentralization Bills. The Schedule to the Bill shows the nature of the amendments contemplated in Acts of the Imperial Legislature of general or local application.

2. So far as enactments dealing with revenue and cognate matters are concerned, it is proposed to legislate in two directions. The first is in the substitution of the control of the Governor General in Council for his sanction in connection with the framing of rules, or in the elimination of control, where such control is considered unnecessary. The sections and Acts affected are:—

The Northern India Canal and Drainage Act, 1873 (VIII of 1873), Section 75; The Chota Nagpur Incumbered Estates Act, 1876 (VI of 1876), Section 19; The Destruction of Records Act, 1879 (III of 1879), Section 5; The Land Improvement Loans Act, 1883 (XIX of 1883), Section 10; The Agriculturists' Loans Act, 1884 (XII of 1884), Section 4; The Punjab Tenancy Act, 1887 (XVI of 1887), Sections 61(*3*), 88(*I*) and 106; The Punjab Land-revenue Act, 1887 (XVII of 1887), Section 155; The Land Acquisition Act, 1894 (I of 1894), Section 55; The Ajmere Irrigation Regulation, 1887 (VIII of 1887), Section 4; The Coorg Land and Revenue Regulation, 1899 (I of 1899), Section 60.

The second direction in which legislation is contemplated is in the delegation to a lower agency of certain powers which are at present vested in the Government of India, in a Local Government or in a specified subordinate authority. The sections and Acts affected are:—

The Bengal Land-revenue Sales Act, 1859 (XI of 1859), Sections 19, 26, 32 and 49; The Waste-lands (Claims) Act, 1863 (XXIII of 1863), Sections 4, 5, 6, 10, 22 and 23; The Burma Boundaries Act, 1880 (V of 1880), Sections 28 and 32; The Land Improvement Loans Act, 1883 (XIX of 1883), new Section 11; The Agriculturists' Loans Act (XII of 1884), Section 4; The Punjab Land-revenue Act, 1887 (XVII of 1887), Sections 7(*1*) and 118(*2*); The Revenue Recovery Act, 1890 (I of 1890), Section 3(*2*).

3. The reasons for the more important delegations of powers proposed in other Acts are indicated below:—

The Calcutta Pilots Act, 1859, Section 17.—The Bengal Pilot Service is under the immediate control of the Local Government, and, apart from cases in which the general right of appeal to the Government of India is involved, the latter exercise no control, in practice, over the Service in matters affecting discipline. It is therefore proposed to dispense with the provision requiring the previous sanction of the Government of India to the preparation of a schedule of punishments for offences committed by members of the Service.

The Police Act, 1861, the Schedule, Part I; Section 2 and the Madras District Police Act, 1859, Sections 5 and 8.—These delegations will obviate the necessity for a reference to the Government of India except when financial rules require it.

The Madras Civil Courts Act, 1873, Sections 3 and 4.—These delegations will enable the Local Government, within the limits of their financial powers, to add to the number of district courts, subordinate judges and munsifs, without reference to the Government of India. *Section 28.*—The High Court is in the best position to say whether the powers in question can safely be granted or not.

The Northern India Canal and Drainage Act, 1873.—It is no longer considered necessary that a Local Government should, as required by section 65 of the Northern India Canal and Drainage Act, obtain the sanction of the Governor General in Council before requisitioning labour for annual silt clearances from canals.

The Sea Customs Act, 1878.—The delegations which it is proposed to make are intended to increase the powers at present exercised by the Chief Customs-authorities and the Chief Customs Officers at the various ports. They will considerably shorten Customs procedure and will tend to the more expeditious despatch of public business at the Customs-houses. Most of the delegations proposed were suggested by the maritime Local Governments and have been accepted after careful consideration by the Government of India.

The Cotton Duties Act, 1896.—The above remarks apply also to the delegations which it is proposed to make under this Act.

The Oudh Civil Courts Act, 1879, Section 7.—This delegation will enable the United Provinces Government to appoint additional Judges within the limits of its financial powers, without reference to the Government of India. *Sections 17 and 24.*—The Judicial Commissioner is in the best position to say whether the pecuniary jurisdiction of a munsif or a subordinate judge should be raised.

The Indian Income-tax Act, 1886.—The amendment to the Income Tax Act now proposed gives Local Governments the option of delegating certain powers now exercised solely by them to the Board of Revenue or the Financial Commissioner, as the case may be.

The points covered relate chiefly to minor matters of procedure in relation to publication and notice, and to recovery of arrears. It is proposed also to allow delegation to the Chief Revenue Authority of power to sanction prosecutions on behalf of the Local Government. In a province which may possess neither a Board of Revenue nor a Financial Commissioner, the delegations contemplated may be to such authority as the Local Government declares to be the Chief Revenue Authority for the province.

The Provincial Small Cause Courts Act, 1887, Sections 5 (1) and 8 (1).—These delegations will enable Local Governments to establish Courts of Small Causes and to appoint additional Judges to such courts within the limits of their financial powers, without reference to the Government of India.

The Bengal, Agra and Assam Civil Courts Act, 1887, Sections 4 and 5.—Local Governments will be able to alter the number of subordinate judges and munsifs within the limits of their financial powers, without reference to the Government of India. *Sections 19, 25 and 34 (1).*—A permissive power of delegation to the High Court is provided, so as to give the Local Governments a free hand in the matter.

The Inland Bonded Warehouses Act, 1896.—It is proposed to dispense with the previous sanction of the Governor General in Council to the rules made by Local Governments under section 7 of this Act. The provisions of sections 5 to 7 of the Act have up to the present been extended to the Presidency of Bengal and the province of Bihar and Orissa only; and the rules under section 7 relate purely to matters of detail with which the Local Governments concerned are fully competent to deal on their own authority.

The Indian Stamp Act, 1899.—The first of the proposed amendments to the Indian Stamp Act empowers the Collector to refund the penalty paid under section 38 (1) of his own motion without reference to the Chief Controlling Revenue Authority. The second delegates to Local Governments the powers, at present possessed only by the Governor General in Council, to make rules governing the powers of the Collector to make allowance for spoiled stamps. The third amendment empowers the Chief Controlling Revenue Authority to delegate to Collectors the power, conferred on the former by section 51, of making allowance in the case of printed forms no longer required by corporations. The fourth amendment is on lines similar to those followed in the proposed amendment of the Indian Income Tax Act, and authorizes, as regards certain incidental matters of administrative procedure, the delegation of powers now exercised by Local Governments to the Chief Revenue Authority, and of powers at present exercised solely by the latter to a suitable subordinate authority.

The Lower Burma Courts Act, 1900, Section 23.—This will give the Local Government powers which other Local Governments exercise without the intervention of the Governor General in Council.

The Indian Mines Act, 1901, Section 20 (1).—It is proposed to dispense with the previous sanction of the Governor General in Council to the issue of rules by Local Governments, but to retain a general control under which the Governor General in Council can require Local Governments to submit, for his approval, rules regarding minerals of special importance. *Section 29.*—The power of exempting mines from the operation of the Act may be suitably exercised by Local Governments who are in a better position to judge of the merits of application for exemption.

The Cantonments (House-accommodation) Act, 1902.—As at present drafted section 10 (1) of the Cantonments (House Accommodation) Act, II of 1902, provides that the power to allow the occupation of houses in any cantonment or part of a cantonment in which the Act has been declared to be operative, for the purposes of a hospital, bank, hotel, shop or school, or by a railway administration, shall be exercised by the Officer Commanding the Division, after the concurrence of the Local Government has been obtained. It is considered desirable that the concurrence of the Divisional Commissioner should be substituted for that of the Local Government.

The Indian Registration Act, 1908, Sections 6, 12, 13 (1) and 13 (3).—The proposed delegations to the Inspector General of Registration under sections 6 and 13 (3) will save time and unnecessary correspondence with the Local Government. Consequential amendments are proposed in sections 12 and 13 (1). *Sections 14 and 78.*—It is considered sufficient for the Governor General in Council to retain merely a power of control in these matters, which are mainly of local interest.

The Indian Emigration Act, 1908, Sections 11 and 102.—It is considered that the powers exercised by the Government of India to authorize the payment of special fees to Emigration Agents and to determine probable length of voyages for the purposes of the Act, should be delegated to Local Governments. It is proposed to amend sections 50-53 to enable the Protector of Emigrants to grant licenses to masters of vessels to carry emigrants. It appears unnecessary to require the orders of the Local Government for the issue of such licenses.

The Upper Burma Ruby Regulation, 1887, Sections 4 and 5(2) and (3).—As the Regulation is of local application only, it is considered that the rule-making powers conferred by section 4 on the Local Government should be exercised by it without a previous reference to the Government of India.

The 13th September, 1913. R. H. CRADDOCK.

W. H. VINCENT,
Secretary to the Government of India.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 17th September, 1913 :

No. 12 OF 1913.

A Bill to consolidate and amend the law relating to Motor Vehicles in British India.

WHEREAS it is expedient to consolidate and amend the law relating to motor vehicles in British India ; It is hereby enacted as follows :—

PART I.

PRELIMINARY.

Short title, extent and commencement.

1. (*1*) This Act may be called the Indian Motor Vehicles Act, 19 .

(*2*) This Act except Part III thereof extends to the whole of British India including British Baluchistan, the Sonthal Parganas and the Pargana of Spiti. Part III extends in the first instance only to the Provinces of Madras, Bombay, Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma, Bihar and Orissa and the North-West Frontier Province. The Local Government may, by notification in the local official Gazette, extend Part III to any other part of British India.

(*3*) It shall come into force on such date as the Governor General in Council by notification in the Gazette of India may direct.

Definitions.

2. "Motor vehicle" includes a vehicle, carriage or other means of conveyance propelled, or which may be propelled, on a road by electrical or mechanical power either entirely or partially.

"Public place" means a road, street, way or other place, whether a thoroughfare or not, to which the public are granted access or over which they have a right to pass.

PART II.

PROVISIONS OF GENERAL APPLICATION.

Prohibition of driving motor vehicles by persons under 18.

3. (*1*) No person under the age of sixteen years shall drive a motor vehicle in any public place.

(*2*) No owner or person in charge of a motor vehicle shall permit or allow any person under the age of sixteen years to drive the same in any public place ; and in the event of a contravention of sub-section (*1*), the onus of proving that the motor vehicle was driven without his permission or consent, shall rest on the owner or person in charge of the vehicle.

Duty to stop vehicle for regulating traffic and in case of accident.

4. The person in charge of a motor vehicle shall cause the vehicle to stop and to remain stationary so long as may reasonably be necessary—

(*a*) when requested to do so by any police-officer for the purpose of regulating traffic or of ascertaining his name and address with a view to prosecuting such person under this Act or for any purpose connected with the enforcement of the provisions of this Act or the rules thereunder, or

(*b*) when requested to do so by any person having charge of a horse or other animal (whether led, driven or ridden) if such person apprehends that the animal is or will be alarmed by the motor vehicle, or

(*c*) when he knows or has reason to believe that an accident has occurred to any person or to any animal or vehicle in charge of a person owing to the presence of the motor vehicle on the road, and he shall also, if so required, give his name and address and the name and address of the owner of such motor vehicle.

Penalty for contravention of sections 3 and 4.

5. Whoever contravenes the provisions of section 3 or 4 shall be punishable with fine which may extend to two hundred rupees.

Reckless driving.

6. Whoever drives a motor vehicle in a public place recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the place, and to the amount of traffic which actually is at the time, or which might reasonably be expected to be, in the place, shall on conviction be punished with fine which may extend to two hundred rupees.

PART III.

LICENSING AND CONTROL.

Licensing of drivers.

7. No person shall drive a motor vehicle in a public place unless he is licensed for the purpose, and no person shall employ or allow any person who is not so licensed to drive a motor vehicle.

Provided that, subject to rules made by the Local Government in this behalf, this section shall not apply to a person receiving instruction in driving a motor vehicle.

Transfer of license.

8. The holder of a license shall not lend it to, nor allow it to be used by, any other person.

Production of license.

9. The driver of a motor vehicle shall produce his license upon demand by any police-officer above the rank of constable.

Extent of validity of license to drive.

10. Every license to drive a motor vehicle shall be valid in such area as may be specified therein :

Provided that no license shall specify any area outside the province in which it is granted, unless it is issued by such authority and in accordance with such conditions and restrictions as the Governor General in Council may prescribe.

Power of Local Government to make rules.

11. (*1*) The Local Government may, subject to the control of the Governor General in Council and to the condition of previous publication, make rules consistent with this Act for regulating, in the whole or any part of the territories under its administration, the use of motor vehicles or any class of motor vehicles in public places.

(2) In particular and without prejudice to the generality of the foregoing power, the Local Government may make rules for all or any of the following purposes, namely :—

(*a*) providing for the registration of, and the conditions under which, motor vehicles may be registered, the fee payable for registration, and the notification of changes of ownership,

(*b*) providing for facilitating the identification of motor vehicles by the assignment of distinguishing numbers to motor vehicles and the displaying of number and name plates thereon, or in any other manner.

(*c*) prescribing the authority by which, and the conditions under which, drivers of motor vehicles or any class of such drivers may be licensed, the fees payable for such licenses and (subject to the provisions of section 10) the area within which, and the duration for which, licenses shall be valid.

(*d*) prohibiting the letting or plying for hire of any motor vehicle except under such conditions as may be prescribed,

(*e*) prescribing the precautions to be observed when motor vehicles are standing in any public place,

(*f*) the speed at which motor vehicles may be driven generally or in any particular public place,

(*g*) regulating the construction and equipment of motor vehicles including the provision and use of lights, bells, horns, brakes, speed-indicators or other appliances,

(*h*) prohibiting or regulating the driving of motor vehicles in public places, where their use may be attended with danger or inconvenience to the public, and

(*i*) generally, the prevention of danger, injury or annoyance to the public or any person, or of danger or injury to property, or of obstruction to traffic.

(3) All rules made under this section shall be published in the local official Gazette ; and, on such publication, shall have effect as if enacted in this Act.

Posting of notices.

12. Such authority as the Local Government may direct shall give public notice, in such manner as may be prescribed, of any rule, made by the Local Government under section 11, prohibiting or regulating the use of motor vehicles in any public place, or limiting the speed of motor vehicles in any such place ; and, for the purpose of giving effect to any such rule, shall display conspicuous notices at or near the place to which the rule refers.

Penalty.

13. Whoever contravenes the provisions of sections 7, 8 and 9, or of any rule made under section 11, shall be punishable with fine which may extend to fifty rupees, and in the event of such person having been previously convicted of an offence under this Act, or any rule made thereunder, with fine which may extend to one hundred rupees.

Power to Local Government to exclude areas or motor vehicles from this Part.

14. The Local Government may, by notification in the local official Gazette, exclude any area specified in such notification from the operation of this Part ; and may, by a like notification, exempt either generally or for a specified period any motor vehicle or class of motor vehicles from the operation of all or any of the provisions of this Part.

PART IV.

MOTOR VEHICLES TEMPORARILY LEAVING OR VISITING BRITISH INDIA.

Power of Governor General to make rules.

15. (*1*) The Governor General in Council may make rules for all or any of the following purposes, namely :—

(*i*) for the grant and authentication of any travelling passes, certificates or authorities for the use of persons temporarily taking their motor vehicles out of British India, or to drivers of such vehicles when proceeding out of British India for the purpose of driving such vehicles, and

(*ii*) prescribing the conditions subject to which motor vehicles brought temporarily into British India by persons intending to make a temporary stay there may be possessed, used and driven.

(2) All rules made under this section shall be published in the Gazette of India ; and, on such publication, shall have effect as if enacted in this Act.

Saving.

16. Nothing in this Act or n any rule made under Part III relating to—

(*a*) the registration of motor vehicles,

(*b*) requirements as to construction, identification or equipment of such vehicles, or

(*c*) the licensing or qualifications of drivers of such vehicles,

shall apply in the case of any motor vehicle such as is referred to in clause (*ii*) of sub-section (*1*) of section 15, or of any person possessing, using or driving the same, provided that the requirements of any rule made under the said clause and applicable to such vehicle or person are complied with.

PART V.

MISCELLANEOUS.

Arrest of offenders without warrant.

17. (*1*) Any police-officer may, without an order from a Magistrate and without a warrant, arrest any person found committing a breach of the provisions of this Act or any rule made thereunder, if the name and residence of such person is unknown to such officer and cannot be ascertained by him then and there.

(2) When any such arrest has been made, the provisions of section 57, sub-sections (2) and (3), and sections 60 to 63 of the Code of Criminal Procedure, 1898, shall apply.

Cognizance of offences.

18. No Court inferior to that of a Presidency Magistrate or a Magistrate of the second class shall try any offence punishable under this Act or any rule made thereunder.

Cancellation and suspension of license and disqualification for obtaining license.

19. (*1*) The Local Government may, in its discretion,

(*i*) cancel or suspend any license granted under this Act, and

(*ii*) declare any person disqualified for obtaining a license under this Act either permanently or for such period as it thinks fit.

(*2*) Any Court by which any person is convicted of an offence against the provisions of this Act or any rule made thereunder, or of any offence in connection with the driving of a motor vehicle may, in respect of such person and of his license, if any, exercise the like powers as are conferred by sub-section (*1*) on the Local Government, and if such person holds a license, shall cause particulars of the conviction to be endorsed thereon.

(*3*) Any Court before which the holder of a license under this Act is accused of any offence mentioned in sub-section (*2*) may suspend such license until the termination of the proceedings before it.

(*4*) A copy of every order of cancellation, suspension and disqualification made under this section in respect of a license or the holder of a license shall be endorsed on the license and a copy of every endorsement in accordance with the provisions of this section, shall be sent to the authority by which such license has been granted.

(*5*) Every holder of a license shall, when called upon to do so, produce his license to any authority acting under this section.

(*6*) A person whose license is suspended in accordance with the provisions of this section, shall, during the period of suspension, be disqualified for obtaining a license.

(*7*) No person whose license has been endorsed shall apply for, or obtain, a license without giving particulars of the endorsement.

Repeals.

20. The enactments mentioned in the Schedule are repealed to the extent specified in the fourth column thereof provided that any appointment, notification, order, rule, form or license made or issued under any of the said Acts, shall so far as it is not inconsistent with the provisions of this Act continue in force and be deemed to have been issued under the provisions of this Act unless and until it is superseded by any appointment, notification, order, rule, form or license made or issued under this Act.

SCHEDULE.

(SEE SECTION 20.)

Enactments Repealed.

Year.	No.	Short title.	Extent of repeal.
		I.—Act of the Governor General.	
1912	XII	The Motor-Vehicles International Circulation Act, 1912...	The whole.
		II.—Madras Act.	
1907	I	The Madras Motor-Vehicles Act, 1907	The whole.
		III.—Bombay Act.	
1904	II	The Bombay Motor-Vehicles Act, 1904	The whole.
		IV.—Bengal Act.	
1903	III	The Bengal Motor-Car and Cycle Act, 1903 ...	The whole.
		V.—United Provinces Act.	
1911	II	The United Provinces Motor-Vehicles Act, 1911 ...	The whole.
		VI.—Punjab Act.	
1907	II	The Punjab Motor-Vehicles Act, 1907 ...	The whole.
		VII.—Burma Act.	
1906	II	The Burma Motor-Vehicles Act, 1906	The whole.

STATEMENT OF OBJECTS AND REASONS.

The development of the use of motor vehicles as the result of the increasing number of persons who seek to travel by this means both within and outside the limits of individual provinces, has emphasised the desirability of re-examining the Indian legislation on the subject. At present the law is contained in six separate provincial Acts,* which, though exhibiting no important differences of principle, are not identical in form. In the interests of simplicity, and in order that owners of motor cars may be saved the inconvenience of reference to different provincial Acts, it is thought that the time has now come when the law on the subject may usefully be consolidated.

* Madras Act I of 1907.
Bombay Act II of 1904.
Bengal Act III of 1903.
The United Provinces Act II of 1911.
The Punjab Act II of 1907.
Burma Act II of 1906.

2. The present Bill has accordingly been drafted with the intention of introducing uniform provisions on important matters of principle and embodying the best local features in the different existing Acts, while, so far as possible, avoiding any substantial departure from the several provincial Acts which it will replace. Subsidiary matters will still be governed by local rules suitable to the varying conditions of different provinces, but under the procedure of one general Act, it is probable that such regulations will be framed on more uniform lines than is at present the case. In particular, power is conferred to grant licenses valid in more than one province, provided they are issued in accordance with such conditions and restrictions as the Governor General in Council may prescribe. The object of the Bill, in short, is to promote the convenience of motorists and to give increased facilities for motor travel. The Motor Vehicles International Circulation Act, 1912 (XII of 1912), was the first step in this direction, and its provisions are re-enacted in the present Bill.

3. The following are the more noticeable provisions of the Bill :—

Clause 1.—As regards the extent of the Act, Part III, which deals with licensing and control, has been extended in the first instance only to those provinces in which or in parts of which such provisions already exist, but it will be open to other Local Governments to notify its extension within their jurisdiction, while under *clause 14* they can similarly exclude specified areas from its operation.

Clause 3.—Prohibits the driving of motor vehicles by persons under 16 years of age; the English law prescribes an age-limit of 17 years in the case of drivers of ordinary motors, with a lower limit of 14 in the case of motor cycles. It is considered that the complication of two limits may usefully be avoided by the adoption of a general minimum which the circumstances of this country would appear to justify.

Clauses 4 and 6.—These clauses are intended to afford the protection to the public everywhere against reckless and inconsiderate driving to which it would appear to be entitled.

Clause 7.—Provides for a licensing system in those provinces to which this Part of the Act applies, although it will be observed that a person receiving instructions in driving, subject to any rules made in this behalf, is exempt from this requirement.

Clause 10.—Enables licenses to be granted with validity beyond the province in which they are granted, while reserving power to the Governor General in Council to regulate the grant of such licenses.

Clause 11.—Confers a rule-making power upon Local Governments on the different points which the examination of the various provincial Acts indicates as actually arising in practice.

Clauses 15 and 16.—Follow the Motor Vehicles International Circulation Act, 1912.

Clause 17.—Confers a power of arrest without warrant which is a necessary condition of the efficient regulation of traffic of this description.

Clause 18.—Limits the trial of offences under the Act to Courts not inferior to those of a Presidency Magistrate or a Magistrate of the second class.

Clause 19.—Empowers the Local Government to cancel or suspend any license, or to declare any person disqualified for obtaining a license, thus protecting the public against incompetent or unsuitable drivers. A Court, trying the holder of a license for any offence under the Act, may also suspend the license pending the termination of the proceedings.

Clause 20.—Repeals the Motor Vehicles International Circulation Act, 1912, and the different existing provincial Acts on the subject of motor vehicles.

The 9th September, 1913. R. H. CRADDOCK.

W. H. VINCENT,
Secretary to the Government of India.

INDEX

TO

Punjab Government Gazette

FOR HALF YEAR ENDING

30th June 1913.

PART V.

INDEX

TO

Punjab Government Gazette

FOR HALF YEAR ENDING

31st December 1913.

PART V.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, JANUARY 17, 1913.

PART V.

Proceedings of the Council of the Lieutenant-Governor of the Punjab assembled for the purpose of making Laws and Regulations.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab, assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 to 1909.

THE Council met at the Council Chamber, Government House, Lahore, on Saturday, the 14th December 1912, at 11 A.M.

PRESENT:

His Honour Sir LOUIS WILLIAM DANE, G.C.I.E., C.S.I., I.C.S., D.C.L., Lieutenant-Governor, *Presiding.*
The Hon'ble Sardar SUNDAR SINGH, MAJITHIA, Sardar Bahadur.
The Hon'ble Mr. JOHN CORNWALLIS GODLEY.
The Hon'ble Malik MUBARIZ KHAN, TIWANA.
The Hon'ble Mr. CLAUD ALEXANDER BARRON, C.I.E., I.C.S.
The Hon'ble Mr. ALEXANDER HENDERSON DIACK, C.V.O., I.C.S.
The Hon'ble Mr. MICHAEL WILLIAM FENTON, C.S.I., I.C.S.
The Hon'ble Khan Bahadur Sayad MAHDI SHAH.
The Hon'ble Nawab Sir BAHRAM KHAN, K.C.I.E.
The Hon'ble Khan Bahadur Seth ADAMJI MAMOOJI.
The Hon'ble Khan Bahadur Khwaja YUSAF SHAH.
The Hon'ble Mr. JAMES CURRIE.
The Hon'ble Rai Bahadur HARI CHAND.
The Hon'ble Rai Bahadur SHADI LAL, Barrister-at-Law.
The Hon'ble Mr. ARTHUR MEREDITH, C.S.I., I.C.S.
The Hon'ble Baba GURBAKHSH SINGH, BEDI, C.I.E.
The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI.
The Hon'ble Sir ARTHUR MILFORD KER, Kt., C.I.E., M.V.O.
The Hon'ble Mr. HENRY PHILLIPS TOLLINTON, I.C.S.
The Hon'ble Rai Bahadur SULTAN SINGH.
The Hon'ble Mr. REGINALD ARTHUR MANT, I.C.S.

[*Rai Bahadur Shadi Lal ; Mr. Godley.*]

QUESTIONS AND ANSWERS.

The Hon'ble Rai Bahadur SHADI LAL asked :—" With reference to the statement made in the House of Commons by the Under-Secretary of State for India that the Government proposes gradually to increase the total number of Primary Schools by 75 per cent. and to double the school-going population, will the Government be pleased to state whether it has prepared any programme yet for the extension of primary education in this province; if so, whether it will lay on the table of this Council a copy of such programme ; if not, whether it will be pleased to consider the necessity of preparing in advance a comprehensive programme for execution within a limited number of years ? "

The Hon'ble Mr. GODLEY replied :—" The information asked for by the Hon'ble Member was given in my reply to a question put by the Hon'ble Rai Bahadur HARI CHAND on the 13th of last March, and further particulars were supplied in the course of the budget discussion on the 10th of April. The scheme submitted to the Government of India for the extension of elementary education in the province was to increase the number of primary schools for boys to nearly double the existing number within a period of five years, and in framing an estimate of cost it was assumed that many of the new schools would require only one teacher apiece. A statement showing the estimate in detail is laid upon the table.* It should be understood that the figures in the statement are merely intended to indicate roughly the expenditure which might be incurred, and that the extent to which such a programme can be brought into effect will depend upon the amount of assistance received from Imperial funds in future years."

The Hon'ble Rai Bahadur SHADI LAL asked :—" Will the Government be pleased to state whether any, and, if so, what action has been or is proposed to be taken for the supply of qualified and trained teachers now in demand by reason of the expansion of the educational programme ? "

The Hon'ble Mr. GODLEY replied :—" A number of local training classes for teachers of elementary schools have been opened in various districts, and schemes for new normal schools are under consideration. The Hon'ble Member will find additional information on this subject in the quinquennial report on education which has just been published."

The Hon'ble Rai Bahadur SHADI LAL asked :—" With reference to the resolution which appeared in the *Punjab Gazette* of the 29th November on the subject of expenditure now incurred on English-teaching secondary schools by municipal committees, is the Government aware that the demand for Middle and High Schools is increasing in every part of the province, and will the Government be pleased to state whether the object of the present resolution is to stop *further* expenditure by these bodies on new Middle and High Schools ? If so, will the Government be pleased to bear the charges in every case in which a municipal committee passes a resolution admitting the pressing necessity and recommending the starting of new schools of this class ?"

The Hon'ble Mr. GODLEY replied :—" The principal object of the measure referred to is to place more funds at the disposal of local bodies for the extension of primary education. There appears to be nothing in the text of the resolution which could justify an inference that it is intended to check further expenditure by municipal committees on English-teaching secondary schools. On the contrary, the resolution distinctly states that these bodies are free to exercise their own discretion in the matter of maintaining such schools. At the same time the Lieutenant-Governor wishes it to be clearly understood that the local authorities concerned are expected to fulfil their duty in regard to primary education and other obligations imposed upon them."

* *Vide* Appendix A.

[*Rai Bahadur Shadi Lal; Mr. Godley.*]

The Hon'ble Rai Bahadur SHADI LAL asked :—"With reference to my question on the subject of medical inspection of students in the public schools of this province, and in view of the increasing deterioration of the health of the student population, will the Government be pleased to order experimentally such inspection at regular intervals in at least two or three principal centres either by Assistant Surgeons attached to public hospitals and dispensaries or by duly qualified private medical practitioners by granting them special allowances for the extra work thus thrown on them ?"

The Hon'ble Mr. GODLEY replied :—"The general position in regard to the medical inspection of schools was explained in my reply to a question on the subject put by the Hon'ble Member at Council meeting held on the 2nd of last October. It is not proposed to attempt to carry out a general medical inspection of school pupils by the agency of Government officers, as this would involve a very large increase of the medical staff. The Hon'ble Member is doubtless aware that in England, where the medical inspection of pupils in elementary schools has been made incumbent on the local authorities by legislation, these authorities have to arrange for and pay the cost of medical inspections. Isolated experiments such as the Hon'ble Member recommends have already been made, and are still being made, in various centres of the province. In Amritsar, for instance, the Health Officer, assisted by private practitioners, has carried out a prolonged investigation of the kind, and in case any Hon'ble Members may be interested in the subject, I am placing on the table a statement* showing the results of a medical examination of the pupils of the Government School at Amritsar. Arrangements are also made for medical examination at the Cathedral High School for Girls and at the Forman Christian College, and a similar inspection of the students of the Government College, Lahore, will be undertaken in January by a medical officer deputed for the purpose. At a later date it may be advisable to attempt to collate the results of such inspections, but the experiment is still in its infancy. There is no evidence that the health of the student population has deteriorated as is assumed in the question, although it is doubtless capable of much improvement."

The Hon'ble Rai Bahadur SHADI LAL asked :—"With reference to the question asked by me at the meeting of this Council held on the 2nd October last as to the pay and prospects of the members of the Provincial and Subordinate Educational Services in the province and the answer given thereto, and in view of the reports which lately appeared in the newspapers to the effect that the Secretary of State had sanctioned the tentative re-organisation of the Punjab Subordinate Educational Service, will the Government be pleased to lay on the table a copy of the scheme proposed and sanctioned, and if that is not deemed expedient, will the Government be pleased to explain the main features of the scheme, proposed and sanctioned ?"

The Hon'ble Mr. GODLEY replied :—"The Subordinate Educational Service as at present constituted is divided into six classes, which are subdivided into grades, and promotion is by grades. Salaries range from Rs. 15 to Rs. 400 per month. Under the new scheme it is proposed to remove the eleven appointments in the grades above Rs. 200 to the Provincial Service as soon as the reorganisation of the latter service is sanctioned. The posts of Rs. 200 and under will be divided into six classes, promotion within which will be by annual increments. The number of posts in the higher classes has been increased, and the minimum rate of pay has been raised to Rs. 20. Vernacular teachers will in future be paid an initial salary of Rs. 20—2—30, junior English teachers Rs. 35—3—50, and the two next classes, which are for teachers of higher qualifications and Assistant District Inspectors of Schools, contain posts of Rs. 55—3—70 and Rs. 75—3—90. Appointments in the classes above these, carrying salaries of Rs. 100—8—140 and Rs. 150—10—200, will be reserved for officers selected to hold District Inspectorships or the senior posts

* *Vide* Appendix B.

[*Rai Bahadur Shadi Lal : Mr. Barron ; Mr. Diack.*]

in schools. The general effect of the measure will be to open up prospects of regular promotion to a large number of teachers whose road has hitherto been blocked."

The Hon'ble Rai Bahadur SHADI LAL asked :—" With reference to the resolution moved, but subsequently withdrawn by me in this Council on the 16th March 1911, recommending to the Local Government that the Punjab Chief Court be raised to the status of a chartered High Court, in view of the sympathetic statement made on that occasion by His Honour, and in view also of the fact that the proposal has been supported both by the Punjab Hindu Conference and the Punjab Branch of the Moslem League and the Indian and Anglo-Indian Press, will the Government be pleased to state if the proposal has since been examined by the Government, and what the result of that examination is ? Will the Government be pleased to recommend to the Government of India that, having regard to the above facts, the Chief Court, which exercises jurisdiction over the capital of India, be raised to the status of a chartered High Court ? "

The Hon'ble Mr. BARRON replied :—" The matter has formed the subject of informal communications between the Government of India and the Local Government, and the Lieutenant-Governor is unable to make any announcement on the subject, but this question will be brought to the notice of the Government of India."

The Hon'ble Rai Bahadur SHADI LAL asked :—" Will the Government be pleased to state whether the scheme of the District and Sessions Judges has been submitted to the Secretary of State, and if not, when it is likely to be submitted ? "

The Hon'ble Mr. BARRON replied :—" The Local Government's proposals regarding the scheme of substituting District and Sessions Judges for Divisional and District Judges were submitted last month to the Government of India, but this Government is unable to say when or in what form the scheme will be forwarded to the Secretary of State."

The Hon'ble Rai Bahadur SHADI LAL asked :—" Will the Government be pleased to lay on the table a statement showing the initial outlay on building and equipment of the Lyallpur College of Agriculture, the cost of upkeep during the last three years, including all charges, the strength and cost of the tutorial staff, European and Indian (separately), and the average cost per head of student educated in the College, during the last three years ?

" Will the Government be pleased to give similar information for the Agricultural Colleges at Poona and Coimbatore ? "

The Hon'ble Mr. DIACK replied :—" The information asked for is laid on the table,* but will be useless for the purposes of the Hon'ble Member without some words of explanation. Figures have been given for the last three years in accordance with the question. But it must be remembered that the last three years have been years of development. Any attempt to strike averages for these years 1909—1912, or to work out the cost of education for each student, must only convey a very misleading impression.

" Thus, as regards the tutorial staff it should be explained that the Agricultural Chemist for the Punjab, the Agricultural Expert for the Punjab and the Economic Botanist for the Punjab are attached to the Colleges as Professors of Chemistry, Agriculture and Botany for teaching purposes, though a great, and indeed the major, portion of their work consists in the management of the agricultural farm at Lyallpur and in conducting research and investigation into matters concerning the whole province. In pursuance of the general policy of the Government of India these three experts would have been employed even if there had been no Agricultural College at Lyallpur.

* *Vide* Appendix C.

[*Mr. Diack; Khwaja Yusaf Shah; Mr. Barron; Khwaja Ahad Shah; Mr. Tollinton.*]

"The Punjab Government have no information available as to similar expenditure for Agricultural Colleges at Poona and Coimbatore."

The Hon'ble Khan Bahadur Khwaja YUSAF SHAH asked :—"(1) Is the Government aware of the orders recently passed by the Bengal Government with regard to the granting of leave to Muhammadan employés of Government on Fridays to say their 'Juma' prayers?

"(2) Will this Government be graciously pleased to issue similar orders, which will, I am sure, be gratefully appreciated not only by those who are in the service of Government, but by the entire Muhammadan community in this province?"

The Hon'ble Mr. BARRON replied :—"Government has seen a reference to the subject in the public press, but is not aware of the terms of the order said to have been issued by the Bengal Government. A copy of this will be obtained.

"Government understands that facilities are already given in Government offices in this province to Muhammadan employés to say their prescribed prayers and also the public Friday prayers when they particularly desire to do so and when the state of public business permits. After seeing how the Bengal Government provide for the difficulty involved in stopping work on Friday during the hours of public prayer, it will be decided if it is desirable to issue a general order on the subject. Requests for facilities for prayer have always been sympathetically treated in the Punjab with its large proportion of Muhammadan inhabitants."

As the Hon'ble Khwaja AHAD SHAH could not be present, the following question which stood in his name was asked by the Hon'ble Rai Bahadur SHADI LAL :—

"Will the Government be pleased to state for the information of Council—

(*a*) Is Government aware that rule 6 (1), relating to the qualifications of the Members of the Provincial Council, is not sufficiently clear, and there remains a doubt in deciding as to 'the place of residence' of a candidate for election?

(*b*) Is Government prepared to add, under the said rule, a note defining "place of residence" in a manner (1) that the matter be sufficiently clear, and (2) that there remain no possibility for any doubt in the future?"

The Hon'ble Mr. BARRON replied :—"The Hon'ble Member's question evidently refers to rule 6 (1) of Schedules II and III which deals with the qualifications of candidates for election as representatives of municipal committees and district boards on this Council. One of the qualifications required is that a candidate shall have *a* place of residence in the group for which he seeks election. Government is advised that no difficulty has been experienced in understanding the meaning of the words 'a place of residence.' It is not necessary for the purpose of these elections to determine *the* place of a candidate's residence using the word in the sense of domicile as the Hon'ble Member suggests, and Government does not propose to add any explanatory note on the subject to the rules."

THE PUNJAB FOREST (SALE OF TIMBER) BILL.

The Hon'ble Mr. TOLLINTON :—"I beg to present the Report of the Select Committee on the Bill to provide for the control of the sale of timber and the establishment of the sale depôts for such timber in the Punjab.

[*Mr. Tollinton; The President; Mr. Shadi Lal.*]

"As Hon'ble Members will see from the report we have not made any very important alterations in the Bill. The most important is the introduction into the Bill of certain provisions of the Forest Act, 1878, mostly dealing with confiscation and disposal of produce with respect to which forest offences have been committed. Those provisions are now made applicable to infringements of rules under this Bill.

"Though we have not made great alterations in the Bill, we have satisfied ourselves that the measure will combat a real evil. We do not say that it will make forest offences impossible, but our examination of forest and police officers leads us to suppose that the existence of unregistered sale depôts does facilitate riverain thefts, and a measure which will control these depôts must cause those thefts to decrease.

"Following the presentation of this report, there is a motion to be made by the Hon'ble Khwaja AHAD SHAH."

His Honour the PRESIDENT :—"I am afraid that motion cannot be put, but we have no objection to your noticing it. We know what the purport of it was, and as the objection might be taken by other people, perhaps you might notice it in your remarks."

The Hon'ble Mr. TOLLINTON :—"I take it that, the intention of the Hon'ble Khwaja AHAD SHAH's motion, as appears from the printed note on the paper, was that the Bill should be re-committed to the Select Committee, and the point of his objection is that our measure will not effect what it purports to effect, and that the only way to prevent thefts of forest produce is largely to increase the establishments. It appears to me that the maintenance of a sufficiently large establishment absolutely to stop thefts of forest produce is an absolute impossibility. No firm and no Government could undertake it. However Government is alive to the necessity of strengthening the establishments, and in conjunction with the present Bill, that will be done, and also, as suggested by the Financial Commissioners, it is proposed to introduce a system of transit pass rules which will also make the present measure more effectual. I do not consider that any practical good would be done by referring the measure back to the Select Committee. We have had several meetings and we have done what possibly is rather unusual ; we have examined expert forest officers and police officers, and as the result of that examination, as I say, we are convinced that the evil exists, and this Bill is one of many measures that will decrease it.

"I move that the Bill be taken into consideration."

The Hon'ble Mr. SHADI LAL :—"Your Honour, I was one of the Members of the Select Committee which considered this Bill. As the Hon'ble Mr. TOLLINTON has pointed out, we had several meetings of the Select Committee; we examined experts of the Forest Department and Police Department, and the only conclusion we could come to is what is recorded in the report of the Select Committee. It seems to me that there is an admitted evil, and we must find some remedy for it. Possibly some better remedy might be suggested, but none has been suggested, and the only remedy we can think of is the one provided by the Bill. I therefore support the motion which has been brought forward by the Hon'ble Mr. TOLLINTON."

The motion was put and agreed to.

The Hon'ble Mr. TOLLINTON :—"I have nothing further to add on the subject of the Bill except to move that the Bill, as amended by the Select Committee, be passed."

The motion was put and agreed to.

[*Mr. Fenton; The President; Mr. Shadi Lal.*]

THE REDEMPTION OF MORTGAGES (PUNJAB) BILL.

THE Hon'ble Mr. FENTON :—" Your Honour, I beg to present the Report of the Select Committee on the Bill to provide a summary procedure for the redemption of certain mortgages of land in the Punjab ; and at the same time to move that the Bill be taken into consideration. I notice that there are a couple of amendments on the agenda paper, of which the Hon'ble Mr. SHADI LAL has given notice. These amendments do not go very far ; the first is a trifling matter. The second no doubt is of some importance, but it does not embrace the whole question of whether the Bill should or should not be passed. In connection with these amendments it will be possible to confine the scope of the debate, but it is just possible that the Hon'ble Mr. SHADI LAL may have in contemplation a motion that the Bill be rejected in connection with the motion, which I shall subsequently move, that it be passed into law. Our legislative rules do not require any notice whatever to be given of a motion that a Bill be rejected, although it does require notice to be given of specific amendments.

"However, I cannot overlook the fact that, appended to the Report of the Select Committee, there is a lengthy Note of Dissent by the Hon'ble Mr. SHADI LAL, and it is just possible that he may follow up that Note of Dissent by an attack on the whole principle of the Bill. On the other hand, it is just possible that he will consider discretion to be the better part of valour and shrink from exposing what I may call the weak and defective arguments in that note to the full criticism of the Council. However, I am not going to anticipate any arguments which would be advanced to meet and defeat those of the Hon'ble Mr. SHADI LAL. It will be time enough to do so when he does present them. Meanwhile, in moving that the Bill be taken into consideration, I think it will suffice to express the anticipation that the particular arguments which he may advance will be amply met when the time comes. My motion therefore is that the Bill be taken into consideration."

His Honour the PRESIDENT to the Hon'ble Mr. SHADI LAL :—" I suppose your amendments would come on when the Bill is taken into consideration ? "

The Hon'ble Mr. SHADI LAL— " Yes, but may I repeat the request I have made in my Note of Dissent that the discussion of the Bill be postponed and that official and non-official opinions be invited ? The measure is a very important one and involves a principle of vital importance, and it is, therefore, necessary that we should give the public sufficient time to express their views. The Bill, after its introduction in the Council, has not been circulated to non-officials and only a limited number of officials were selected to give their opinions, and they too complained of the shortness of time within which they had to record their views. This is hardly a satisfactory state of affairs.

"It will perhaps be urged that before the Bill was submitted to the Government of India it was subjected to the criticism of officials as well as non-officials. My answer to that is two-fold. In the first place, the Bill before the Council is materially different from the Bill which was circulated. In the second place, it is one thing to give opinion on a Bill which is yet in a preliminary stage and about which there is no knowing whether it would be accepted by the Government of India and whether it would be introduced in the Council at all, and it is quite a different thing to give opinion on a Bill which has been introduced in the Council and is about to become law. The two frames of mind are quite different.

[*Mr. Shadi Lal; Rai Bahadur Hari Chand; Mr. Muhammad Shafi; Sir Bahram Khan.*]

"I, therefore, submit that there is no necessity to rush the Bill through the Council, and that the Bill be returned to the Select Committee for obtaining opinions."

The Hon'ble Rai Bahadur HARI CHAND.—"Your Honour, I respectfully submit that the Bill is a very important one. It affects of course no doubt one very important class and I submit we are not in a position to know what opinions have been taken; Members of the Select Committee know. But as I hear from the Hon'ble Member that no non-official opinion has been taken on the Bill; only five Deputy Commissioners were consulted; so, as the Bill is a very important one, it should be postponed and circulated, and the opinions of the non-officials, as well as officials, taken."

The Hon'ble Mr. MUHAMMAD SHAFI:—"It will be within the recollection of the Hon'ble Members that this Bill, as originally drafted, was circulated throughout the province to a very large body of persons, official and non-official. As regards non-official opinions, opinions of thoroughly representative persons were sent to Government in connection with the Bill. That Bill was placed before a committee of officials and non-officials. I might remind my learned friend that he and I were the two non-official members of that committee, and the committee fully considered the opinions of the officials as well as of the non-officials which had been submitted to Government. And perhaps it will be within the recollection of my Hon'ble friend that the majority of non-official opinions pointed out that the Bill as originally framed would not carry out the object of avoidance of unnecessary trouble to the mortgagor or the mortgagee as both the parties would appear before the Collector and only in case of mutual agreement will the Collector order redemption to take place. The majority of non-official opinion, so far as I recollect—and I think the Hon'ble Mr. FENTON will bear me out that my recollection is probably correct—was strongly to the effect that something more than that was needed in order to facilitate the redemption of mortgages. It was in deference to the opinions, which were expressed by the majority of officials and non-officials of this province, that the Bill was drafted on the lines on which it now stands and was fully considered by the Committee. With your permission I would submit one fact that my learned friend, who represents the non-agricultural Hindu community, and myself, who might be said to have a claim to represent to a certain extent the Muhammadan community of this province, were members of that committee. Subsequently the Bill, after having been approved by the Government of India, was introduced in this Council in September last, and has been published in the Gazette as well as in the principal newspapers which take any further interest in this measure. It was drafted in accordance with the opinion of the majority of the people of this province and has been circulated. It is not the fault of Government that only so very few opinions have now been sent. The fact that so very few opinions have been sent up leads to the conclusion that the Bill as now framed represents the majority of public opinion in this province and the public opinion is satisfied that the Bill as at present framed does not require any further comment."

The Hon'ble Nawab Sir BAHRAM KHAN spoke in Urdu, a translation of which is as follows:—"The Bill, which has been introduced by the Hon'ble Mr. FENTON, is a very useful one. It deals with the redemption of mortgages of lands with which the Revenue Officers have the most to do. I think I can speak with some authority and after full consideration I can say that the powers conferred upon the Revenue Courts by the present Bill will be very useful and the Collector will be a better man for this purpose than the District Judge. Even intricate cases can be disposed of by the Deputy Commissioners and Assistant Commissioners who have revenue powers better than the District Judge who is always at the head-quarters. The Deputy

[*Sardar Sundar Singh ; Lala Sultan Singh ; Mr. Fenton ; The President.*]

Commissioners and Assistant Commissioners will possess an additional advantage that they will be going on tours and would thus be able through their influence to settle the disputes on the spot."

The Hon'ble Sardar SUNDAR SINGH, MAJITHIA:—"Your Honour, I think I may say a few words in connection with this Bill, belonging as I do to the agricultural community of the Punjab. I think the measure put forward by my Hon'ble friend Mr. FENTON is a laudable measure which provides a great want of the agricultural community, particularly of those who have mortgaged their lands. As the Hon'ble Mr. FENTON put it when he introduced the Bill, the trouble of mortgagors, who wanted to redeem their lands, was very great, and I think it is mainly to the good that there is something put forward. To my mind this Bill is a very good one, and I think it would be liked by the agricultural community. Under the circumstances I respectfully submit that the Bill should be passed."

The Hon'ble Lala SULTAN SINGH :—"Your Honour, this Bill introduces an important principle of transferring the power of the Civil Court to the Revenue Officers. This is also a measure which I believe does not exist in any other province in the country."

The Hon'ble Mr. FENTON :—"I rise to a point of order. The sole question is whether the Bill be referred back to the Select Committee."

His Honour the PRESIDENT :—"Or whether it be taken into consideration. I think the Hon'ble Member is in order."

The Hon'ble Lala SULTAN SINGH :—"Sufficient publicity to this Bill has not been given, and as to the few opinions recorded, the weight of these opinions seems to me to support the motion of the Hon'ble Mr. SHADI LAL that the Bill be reconsidered.

The Hon'ble Mr. FENTON :—"Sir, I would respectfully and emphatically traverse the contentions of the Hon'ble Mr. SHADI LAL that the Bill in its present form is very different from the previous Bill which was widely circulated throughout the province. The main principle of the Bill is to provide a summary procedure for redemption of mortgages of land and to bring the mortgagor and the mortgagee together. In regard to that principle there has been ample opportunity for examination and scrutiny by critics of every class, officials as well as non-officials. I would just like to call attention to a few of the non-official opinions which have been received. Lalas Gela Ram and Payare Lal, Pleaders, Muzaffargarh, say that the 'proposed legislation is extremely desirable as it provides in the first instance a summary process in the way of the settlement of the dispute as to the mortgage money.'

"Munshi Ghulam Bari, Pleader, Lyallpur, says :—'The measure now under consideration of the Punjab Legislative Council will surely check such litigation which is really unnecessary and the real cause of which can be seen as the outcome of the morgagee's unfair attempt to go on with the mortgage as long more as possible."

"Lala Prabh Dyal, Pleader, Lyallpur, says:—'I have gone through the draft Bill of Redemption of Mortgages of immoveable property in the Punjab and have considered the sections of the Bill carefully. The provisions seem to have been considered well. The object of the Bill is no doubt a laudable one indeed.'

"Rai Bahadur Lala Sheo Parshad, Rais and Honorary Magistrate, Delhi, says:—'I think the legislation proposed is a good one and will be appreciated by the class of persons whom it is intended to benefit.'

[*Mr. Fenton.*]

"'Munshi Abdul Ghani, Pleader of Karnál, is of opinion that a summary procedure to enable the mortgagor to get back his property has long been needed in the Punjab.'

"Lala Jai Lal, Pleader, Chief Court, Punjab, Simla, says:—'In my opinion the proposed legislation is a real necessity which is often felt by the mortgagors and I strongly support the proposed Bill.'

"Lala Barkat Ram, Pleader, Chief Court, Punjab, and Honorary Sub-Registrar, Gujránwála, says:—'......There is no question as to the utility and prospective beneficial effects in bringing the mortgagor and the mortgagee to an easy settlement, or to enable the mortgagors to understand their contracts by the enactment of some law on the lines of sections 83 and 84 of the Transfer of Property Act.......'

"Lala Gopal Das, Bhandari, Pleader, Amritsar, says:—'The new Act shall prove in every respect a most useful provision for the settlement of the matters between the mortgagor and the mortgagee in a most convenient, speedy and less expensive way.'

"Mr. A Muir Masson, Secretary, Punjab Banking Company, says:—'that in the opinion of our Managing Director all the provisions of the Act seem just and reasonable.'

"Sardar Kharak Singh, Pleader, Chief Court, says:—'It cannot be denied for a moment that there is a pressing need for the proposed piece of legislation to be brought into force in the Punjab, inasmuch as the present legislation does not provide any means for redemption of mortgages and for ejection of the usufructuary mortgagees.'

"The Manager, Punjab National Bank, Limited, Lahore, says:—'I agree with the principle and the procedure adopted in order to facilitate the redemption of immoveable property in the Punjab.'

"Rai Bahadur Ram Saran Das of Lahore says:—'I beg to say that in my opinion the measure proposed will be a very useful one, and will in many cases afford to mortgagors a speedy way of getting back the mortgaged property.'

" and so on and so on.

"There are perhaps 50 or 60 opinions of this sort in favour of the principle of the Bill. It is impossible therefore to say that there has been no consideration by non-official persons of the main principle which this Bill designs to enforce. There is no wonder then that the Government of India have said that 'after careful consideration of the provisions of the draft Bill they are ready to accept the general outlines of the draft and that the need of a summary means of coming to a decision in cases between small peasant mortgagors and their creditors is very generally acknowledged, and there appears to be no more satisfactory method of meeting the want than that put forward in the Bill.'

"The only change of importance that has been made in the Bill since all these numerous non-official persons have seen it has been the substitution of Collector for the District Judge and the reasons for the substitution will be referred to later as the Hon'ble Mr. SHADI LAL will move an amendment for the restoration of the original court. I think the contention cannot at all be maintained that the principle of the Bill has not been sufficiently discussed and canvassed by non-official critics. I should just like to ask what are the non-official Members of this Council for. Is it not their duty to ascertain between the date of introduction of the Bill and the date of its coming forward for debate, what is the opinion of the non-official world with which they are in touch and to represent in this Council any views so ascertained? Furthermore, do the Deputy Commissioners, whose opinions have been received, not represent non-official opinion? Are they not

[*Mr. Fenton; Rai Bahadur Shadi Lal; Mr. Meredith.*]

more in touch with the classes for whose benefits the Bill is to be passed than the representatives of what may be called non-rural constituencies. I think every one knows that the Collector as the head of a district is in a better position for voicing the opinion of the agricultural population of his district in regard to a legislative measure of this sort than the great majority of those who never move outside the circles of their urban constituencies. I therefore very strongly deprecate any further consideration of the Bill under consideration."

The motion that the Bill be taken into consideration was put and agreed to.

The Hon'ble Rai Bahadur SHADI LAL moved that sub-clause 3 (*b*) of clause 1 be omitted. He said:—"The amendment, Sir, which stands in my name deals with an important change which has been effected by the Select Committee in the Bill as it was introduced in the Council. As the Hon'ble Members are aware, the Bill is confined to mortgages of land where the area does not exceed 30 acres. That was the order of the Government of India, and in pursuance of that order the Bill was confined to those areas. Now the Select Committee has gone beyond that. The Select Committee has taken not only the area as the test of jurisdiction, but has also taken the mortgage money, I should say the principal mortgage money, as the test of jurisdiction. This clause, which I want to be deleted, lays down that, irrespective of area, if the mortgage money does not exceed Rs. 1,000, then the provisions of the Bill will apply. My humble contention is that, in a measure of this great importance, the Select Committee ought not to have gone beyond the limit which has been laid down by the Government of India, more especially without obtaining the previous permission of the Government of India, and without obtaining the non-official opinion with respect to the change. It is a very important matter and should not be lightly considered. There was only one Deputy Commissioner who made that suggestion, and on the strength of that suggestion, this change has been made in the Bill. His argument, as far as I understand it, was to the effect, that in some places there is land which is not very valuable and a larger area than 30 acres is sometimes mortgaged for less than one thousand rupees, and it is necessary that this Bill should apply to those mortgages. That argument overlooks the fact that there are a large number of mortgages which were executed long ago, which affect large areas in places where the land is by no means cheap, but as those mortgages were effected a long time ago, the principal mortgage money is one thousand rupees or less than that. Since then it is quite possible that the amount due has become much more than Rs. 1,000. In connection with those mortgages complicated questions of law and fact arise, and it is very undesirable that the Revenue Officers should go into all these disputes between the mortgagor and the mortgagee and settle them at once and should turn out the mortgagee and ask the mortgagor to take possession of the property. Therefore I think that this change which has been effected by the Select Committee should not be accepted and the Bill should be confined to the original purpose for which it was intended."

The Hon'ble Mr. MEREDITH :—"With your permission, Sir, I should like to ask the Hon'ble Member in charge of the Bill whether it has been considered that this clause may afford inducement to mortgagors to enter fictitious sums as the consideration. There seems to be every inducement for people to enter a sum just over the thousand rupees, so as to bring it outside this Bill. I imagine that the number of deeds for Rs. 1,001 will possibly be very numerous. We have precedents for this in the Law of Pre-emption, and also in the Law of Registration, where the number of deeds executed for Rs. 99 is very large; and in pre-emption cases it is a very common thing for fictitious sums to be entered as consideration money, and it seems to me that there is that objection to the introduction of this clause in the Bill."

[*Mr. Fenton; The President.*]

The Hon'ble Mr. FENTON :—" With reference to the Hon'ble Mr. MEREDITH's enquiry, I would remind him that the clause is not operative at all if the area mortgaged is 30 acres or less. It is only when the area mortgaged is over 30 acres that the question of the thousand-rupee limit has been imposed. The reasons for this additional limit are given in Mr. Kettlewell's opinion on the Bill. He says ' in the first place, the scope of the Bill might suitably be enlarged to 50 instead of 30 acres. Mortgages are generally made in this part of the world with kanals and in a district like this, where holdings, though intrinsically of small value, often run into large areas with scattered patches of cultivation, mortgages even by comparatively small proprietors often run on paper into large figures, although the actual area of cultivation and value are quite small. Instead of 30 acres which represents 240 kanals I would make the Bill cover at least 50 acres or 400 kanals, a round number. It is also a question for consideration whether money limit based on the mortgage money would not be more suitable than a limit of area. Thirty acres of land close to a large town might be worth a very large sum in mortgage value, whereas 400 or 500 acres in say the Thal tract of the district are worth very little.' The limit of 30 acres was suggested by the Punjab Government simply as a round figure and because it would cover the one-square holdings in the colonies. Now, if a peasant proprietor mortgages a one-square grant in a colony, consisting of about 27 acres, the value of that runs from Rs. 3,000 to Rs. 7,000, so that it would be quite feasible to effect a mortgage of property up to Rs. 7,000 without going outside the scope of the Bill. That being so, what objection can be taken to a money limit of a thousand rupees simply because the area exceeds 30 acres. The practical effect will be that where the value of the mortgage money exceeds Rs. 34 an acre, the acreage limit will apply, and it is only where the land is very cheap, for instance when a large portion of it is uncultivated, that the money limit will come into operation. The addition that has been made is not of very great importance. It is only an expedient for meeting this objection of Mr. Kettlewell. If the Council think that another pecuniary limit would be preferable, or that the acreage limit should be raised, I have no objection. But I do think that the owners of the poorer land in the West of the province ought not to be excluded from the scope of the Bill. Therefore I am in favour of adhering to the recommendation of the Select Committee."

His Honour the PRESIDENT :—" I think the matter is entirely one on which Hon'ble Members should pronounce an opinion as they feel advised. When the Bill was under discussion, the question as to whether an acreage limit should be taken or a pecuniary limit of value should be taken was frequently debated. Personally, I was myself rather in favour of the pecuniary limit of value so as to secure some equality throughout the province, but it was pointed out to me that the whole of this procedure is intended to be summary and simple and can in no way trench on the province of the Civil Courts, and that if we fixed a limit of value, we might be involved in very long and intricate enquiries as to what was the real value, and that thereby the provisions of the proposed measure might to a certain extent be defeated. It was also pointed out that it was highly desirable in the case of the colonies, as Mr. FENTON has told you, to assume some limit which would cover the one-square grant to the peasant *abadkars*. On the whole I deferred to the majority of opinion in favour of having an arbitrary limit of area. Of course the difficulty that a limit of area introduces, which is now under discussion, was foreseen at the time; but on the whole we thought that 30 acres might possibly meet the case. It now appears that in the West of the province very large areas in that direction are mortgaged for very small sums, and the question really now before Council is whether we should still adhere to the area of 30 acres which the Government of India has approved, because it has this merit that it does include the small peasant colonist, or whether we should try to modify

[*Mr. Shadi Lal.*]

slightly the Bill so as to confer the benefits, if there be benefits in it, upon the proprietors of these poorer lands in the West of the province which are mortgaged at small amounts. I do not think I need say any more; I have only made these remarks just to make it clear why this clause has come into existence in its present form."

The amendment was put and lost.

The Hon'ble Mr. SHADI LAL moved that sub-clause 2 and clause 3 be omitted and the words 'District Judge' be substituted for the word 'Collector' in clauses 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16. He said:—"Your Honour, I beg to propose my second amendment. The object of that amendment is to substitute the Civil Court for the Revenue Officer. The Hon'ble Mr. FENTON mentioned a few minutes ago that the Bill, which was originally drafted and which was submitted for opinion to the officials and non-officials, did not invest the Revenue Officer with jurisdiction to decide those matters which had to be decided in the Civil Court. That change was made by the sub-committee which sat at Simla. I regret to say that I was against that change, but it was carried and the Bill, as altered by that committee, was submitted to the Government of India. Since the change has been made, it must be admitted, that the Bill has not been circulated to the non-official persons of this province. No non-official opinions have been given and my contention is that the change makes all the difference in the world so far as this Bill is concerned. If it was the Civil Court that was invested with jurisdiction to take this summary procedure, I would be entirely in favour of the Bill. My point is, you are taking away jurisdiction of the Civil Courts, and you are investing Revenue Officers with powers which ought not to be with them. In all other provinces of India we have got Revenue Officers and we have got Civil Courts, and suits in respect of mortgages are decided by the Civil Courts. There are two sections of the Transfer of Property Act, sections 83 and 84, which provide summary procedure for the redemption of mortgages. Why not apply those sections to the Punjab? There is a contention that the Civil Court acting under the sections of the Transfer of Property Act does not decide the matter summarily, but the mortgagor is asked to go to a regular court and file a suit for the redemption of mortgage. If you want to make an advance in that direction, by all means give the Civil Court summary power to decide these contentious matters; but I am certainly opposed to giving these powers to the Revenue Officers. Revenue Officers, if I may be allowed to submit, have neither the time nor, if I may say so, the experience to decide these complicated questions of law and fact. This matter has been considered by the Hon'ble Judges of the Chief Court, and may I be allowed to read the opinion of the Hon'ble Mr. Kensington. He says:—'I am entirely in favour of cutting out altogether the proposed power to the Revenue Officer of dealing in any way with contentious points, and in the interests of all parties concerned I trust that the futility of expecting Revenue Officers to be able to deal efficiently with difficult questions of the sort, to the satisfaction of the parties, will be recognized to the extent of recasting the Bill.' This is a very weighty opinion and it has been agreed to by other Judges of the Chief Court.

"There is no precedent in other provinces of this country, and I have not been able to find out any argument at all, why this departure is going to be made in this province. I am entirely in favour of the view that the laws in this province should not materially differ from the laws of other provinces and we should not make legislative experiments. If there is really a case for helping the mortgagors in redeeming their lands, by all means invest the Civil Courts with summary jurisdiction. But what is the case for taking away that jurisdiction from the Civil Courts and conferring it on the Revenue Officers? I must say I have not been able to find out any cogent

[*The President ; Lala Sultan Singh ; Mr. Meredith ; Mr. Fenton.*]

argument in favour of that contention. The Hon'ble Mr. FENTON did not mention any reason why the change has been made, and so far I myself have not been able to find out one. I therefore beg to propose this amendment."

His Honour the PRESIDENT :—"This is a matter that the Hon'ble Mr. SULTAN SINGH might speak on if he likes."

The Hon'ble Lala SULTAN SINGH :—"In view of all the remarks which have fallen from the Hon'ble Mr. SHADI LAL, I beg to accord my hearty support."

The Hon'ble Mr. MEREDITH :—"May I make a few remarks. In referring to sections 83 and 84 of the Transfer of Property Act it seems to me that the Hon'ble Mr. SHADI LAL has ignored the references in the opening speech of the Hon'ble Member in charge of the Bill, in which it was distinctly said that these sections did not confer possession upon the mortgagor, and that there was a reason why it was considered that the application of these two sections to this province would not afford a remedy for the evil that the present Bill seeks to remedy. He also objects that the reference of this question to Revenue Officers is not advisable because the officers who will deal with the questions have neither the time nor the experience to deal properly with them. I must say that my experience of the Deputy Commissioners of this province, who will be the officer to deal with these questions, does not correspond with that of the Hon'ble Member if he considers that they have not sufficient experience to deal with the question. I have always seen that the care and pains which they take to elucidate difficult revenue questions is deserving of all praise, and I think they may be safely trusted with the decision of this point. As to their not having sufficient time I presume that may be left to Government, who will afford them relief in other departments if it is found that the decision of these questions leaves them no time for other work.

"With regard to the objection that there is no reason why the Punjab should have a different procedure from other provinces in India, that argument appears to me to be somewhat misleading. Surely we may leave other provinces to set their own house in order, and if we find a measure that will relieve a large number of the poorer mortgagors and which is considered necessary for this province, it is our duty to introduce it and to leave other provinces to settle their own affairs, or to follow our own example if they think fit."

The Hon'ble Mr. FENTON :—"I have to thank the Hon'ble Mr. MEREDITH for pointing out that the Hon'ble Mr. SHADI LAL has ignored what I have said in my remarks in introducing the Bill as to the reasons justifying the measure. I there pointed out that the Bill is needed in order to avoid the delay and also the expense involved in the present procedure of redemption by suit in the Civil Court. But as regards his contention that the procedure under this Bill is more appropriate to the Civil Court than to a Revenue Officer, I would ask whether it is not the case that the procedure under this Bill differs but little from that already carried out by mutation officers. In other words, this is nothing more than a special kind of mutation procedure. Decisions on questions of title in a very large number of cases are now given by the mutation officer and, but for one circumstance, there is nothing in the present Bill which could not be effected in the course of mutation proceedings ; but that one circumstance is quite sufficient to justify a special measure. Now in introducing the Bill, I pointed out how very important it was that all questions connected with redemption should be settled promptly, and how very often it is the case that time is of the essence of the situation. Our mutation rules do not require Revenue Officers to visit a village more than once a year. There is no provision for mutation at other times, and accordingly

[*Mr. Fenton.*]

the mortgagor who is in a hurry to redeem before the expiry of the month or two months during which, under the terms of the contract, redemption is permissible, cannot afford to wait on the chance of the mutation officer coming round to his village in time. It would be a very serious inconvenience if he had to suffer another year's delay in consequence of the Revenue Officer not coming round in time. It is for this, and not for any other reason, that the existing mutation procedure is insufficient to meet the requirements of the situation in which mortgagors are so often placed. Otherwise there is nothing in this Bill which is not already part and parcel of our present mutation procedure. Throughout the province mutation officers every day are passing orders in summary proceedings in which questions of title are decided, and in the course of these proceedings they are, as in this Bill it is contemplated that they should be, empowered to place in possession the persons whom they may consider best entitled. Now in connection with such mutation proceedings we are not told, as we are now being told by Mr. SHADI LAL, that the functions of the Civil Courts are being encroached upon. As a matter of fact they are not encroached upon, and they are not encroached upon under this present Bill. The provisions of this Bill in every way safeguard the Civil Courts and empower them to set aside any orders that may be passed by Revenue Officers, just as Civil Courts are empowered to pass orders which conflict with the decision of mutation officers. It is, therefore, a strange misreading of the provisions of the present Bill to describe it, as the Hon'ble Mr. SHADI LAL does, as an encroachment upon the functions of the Civil Court. Then he proceeds to say that we are departing from the practice of other provinces, and that there is no precedent in other provinces for legislation of this kind. This idea that in the Punjab we are departing from the policy of other provinces by allowing the Revenue Officers to encroach upon the functions of the Civil Courts is entirely without foundation. There is not a single Act in our statute book for which a counterpart could not be found in the codes of other provinces. Our revenue jurisdiction is practically identical with the revenue jurisdiction exercised by the Revenue Courts in the United Provinces. The giving of decisions on questions of title in mutation cases is a feature of the legislation of, I believe, every province. Our Land Alienation Act has been copied. In the United Provinces in four districts and in part of the fifth—the Sadr district of Allahabad—the Bundelkhand Alienation of Land Act is in force, and is almost an exact copy of our Act XIII of 1900. There are Acts and enactments which go very far beyond anything that we have ever done in this province in the way of ousting the jurisdiction of the Civil Courts. I refer to the Sind Encumbered Estates Act, the Bundelkhand Encumbered Estates Act, and Kaira and Broach and the Chota Nagpur Encumbered Estates Acts. These all provide a most drastic procedure for liquidating the debts of proprietors without any interference of the Civil Courts; and in the course of such procedure Revenue Officers are empowered to dispossess mortgagees without paying any redemption money.

"Other examples of what the Hon'ble Mr. SHADI LAL would doubtless regard as objectionable encroachments by the Revenue Department could be cited from the Provincial Codes. I may just refer to one such—a recent piece of legislation, the Bombay Mamlatdars' Courts Act of 1906—which in some respects resembles the Bill now under consideration, as it empowers the Revenue Officers, who correspond to our Tahsildars, to decide certain questions of title and give possession in accordance with such decisions subject to the right of the dissatisfied party to bring a suit in a Civil Court.

"I would also like to remind the Council that, so far from the tendency of legislation in this province being to enlarge the jurisdiction of Revenue Officers, it has been quite the reverse. For some 40 years all civil cases were

[*Mr. Shadi Lal ; Nawab Sir Bahram Khan.*]

decided by Assistant Commissioners and Tahsildars and appeals went to Deputy Commissioners and Commissioners; and in those days the Chief Court Bench was recruited from the ranks of Commissioners, and very good judges they made. It is only necessary to mention the names of Barkley and the two Smyths. For nearly 40 years that was the condition of the province. But gradually the Judicial Department began to be specialised; first of all came the Munsifs, and then Extra Assistant Judicial Commissioners and Additional Commissioners. In 1884 a wholesale transfer of work from Revenue Officers to specialised civil officers took place when District Judges and Divisional Judges were created. Quite recently we have gone in for further specialisation, and above the seventh grade of Extra Assistant Commissioner in the Provincial Service the line has been kept quite apart. It is therefore impossible to say that our tendency has been towards enlarging the functions of the Revenue Officers. What the policy has been is that each department has been enabled to specialise in particular work, and as Revenue Officers are best qualified to dispose of a particular class of cases, it is most desirable that they should do so.

"The Hon'ble Mr. SHADI LAL in his Minute of Dissent says that 'he does not see the force of' the remark that Land Revenue Officers are better qualified to dispose of such cases.' It is really not the *force* of the remark, it is the *truth* of the remark that is important, and that Revenue Officers are best qualified to dispose of such cases is, I think, the verdict of all experience."

The Hon'ble Nawab Sir BAHRAM KHAN spoke in Urdu, a translation of which is as follows :—"Your Honour, I have to say something in connection with the Bill for Redemption of Mortgages which the Hon'ble Mr. FENTON has introduced and the Hon'ble Rai Bahadur SHADI LAL has opposed. The Hon'ble Mover has in his tours been impressed with the necessity of such a law and has therefore brought forward this Bill in its present form. The Select Committee has after consideration admitted its necessity and has introduced the necessary amendments. I have considered the Bill in all its aspects in the capacity of a zamindar, and cannot find anything to justify its postponement. Though it has been published in the Gazette and the papers also, the public has not so far in any way opposed it. It is just possible that its postponement might create fictitious difference. So far as my experience goes this Bill would be equitable and useful for both the mortgagor and the mortgagee. I therefore respectfully and strongly recommend that this Bill be passed."

The Hon'ble Mr. SHADI LAL :—"I would like to make a few remarks in answer to the Hon'ble Mr. FENTON. I am afraid perhaps I did not make myself quite clear. There is no argument advanced in the opening speech of the Hon'ble Mr. FENTON as to why jurisdiction has been conferred on the Revenue Officers, and why the District Judges are not invested with that jurisdiction. We were told by the Hon'ble Mr. FENTON that the original Bill, which was circulated for opinion, conferred that jurisdiction on the Civil Courts."

The Hon'ble Mr. FENTON :—"Also on Revenue Officers,—section 23 of the original Bill."

The Hon'ble Mr. SHADI LAL :—"In any case the Civil Courts were authorised to deal with these matters. Why is the jurisdiction of the Civil Courts taken away? No answer has been given to my question. My

[*Mr. Shadi Lal ; The President.*]

contention again is that in other provinces you will not find a single instance where the Revenue Officers are authorised to deal with mortgage disputes. Disputes in connection with mortgages raise complicated questions of law and fact. The question of limitation arises, the question of right to redeem arises and there is the question of how much money is due, and these questions are not properly within the cognizance of the Revenue Officers. The Hon'ble Mr. FENTON has suggested that in other provinces also the jurisdiction of the Revenue Officers is very much the same as in this province. With all due deference to him, I beg to demur to that statement. If the Hon'ble Mr. FENTON will compare the Punjab Tenancy Act with the Tenancy Act of the United Provinces, he will find that the jurisdiction in the Punjab is much more extensive than the jurisdiction of the Revenue Officers in the United Provinces. Then he cited several Acts which deal with encumbered estates. I submit the analogy does not apply. Encumbered Estates Acts correspond to what is called Court of Wards Act in this province, and I submit that Court of Wards in this province has got similar powers to those which are exercised by the Courts under the Encumbered Estates Act.

"Then he said that, in this province, far from there being a tendency to transfer jurisdiction to the Revenue Officer, the tendency has been just the other way, and the Hon'ble Mr. FENTON used these words :—' That there has been a transfer of work by the Revenue Officers to the Civil Courts.' With all possible respect to him, I must say I was rather surprised to hear that remark from him. The mere fact that certain functions, Civil as well as Revenue, were united in one person, and since then there has been a separation of these functions, does not mean that there has been a transfer of jurisdiction from Revenue Officers to the Civil Courts. We even now find that the Deputy Commissioner is the District Magistrate and Collector. That does not mean that the Revenue Officer is exercising magisterial jurisdiction—far from it. The only thing that happens is that the same functions are united in one person. They may be separated at any time, but that does not at all mean, if their separation takes place, that there has been a transfer of jurisdiction from the Revenue Officers to the Courts. That transfer has taken place in many other places and many countries, but this certainly does not mean a transfer of work from the Revenue Officers to the Civil Courts. I still hold that no sufficient ground has been made out for making a change in this province. There are other provinces of this country which have gone on very well with their mortgage redemptions. In this province also redemptions have so far taken place, and I do not see why in the year of grace 1912, we should be taking this retrograde step."

His Honour the PRESIDENT :—" I might easily point out that there are very special reasons in this province for adopting measures which are perhaps somewhat special, and that is that the province is a province of peasant proprietors, and consequently there is an enormous amount of petty litigation and petty disputes concerning land, which is very largely in excess of that which exists in any other province. Also the agricultural classes unfortunately are singularly ignorant in this province; at any rate as far as education goes, and they therefore stand in need of special protection in the matter of disposal of land. I think those two reasons are amply sufficient to justify any special measures we may take in this province in regard to land legislation. The Hon'ble Mr. SHADI LAL, notwithstanding the Hon'ble Mr. FENTON's remarks, has said that he does not find any argument put forward on behalf of the change made in the Bill as amended, providing for Collectors being substituted for the Civil Court. I must confess that I thought the Hon'ble Mr. FENTON's remarks on mutation procedure were singularly to the point in that respect. If the Hon'ble Member will again refer to the provisions of the Bill dealing with

[*The President; Mr. Fenton; Mr. Shadi Lal.*]

the procedure which takes place after the parties have appeared before the Collector, he will find that it is almost exactly the same as when the parties go before the mutation officer; and further, in section 9 'If the mortgagee raises objection on any ground other than the amount of the deposit, or if the petitioner is not willing to pay the sum demanded by the mortgagee, the Collector may either (*a*) for reasons to be recorded dismiss the petition, or (*b*) make a summary enquiry regarding the objection raised by the mortgagee or regarding the sum due.' Now if any of these very difficult points of law in regard to a particular case, which the Hon'ble Judges and the Hon'ble Member have raised, do occur, it is really almost inconceivable that the Collector will, with the possibility of the whole of the facts being gone into again in a regular Civil Court, worry out the case. This Act is intended to deal with the more simple classes of mortgage; indeed there are probably 99 of them to perhaps one of these difficult cases. As Settlement Officer of Gurdáspur, which has perhaps the largest amount of mutation work in the province, I had to deal with literally hundreds of thousands of these mutations. The number of petty disputes that are disposed of in these mutation cases and never come into court at all, is really very large, and I apprehend that if this Bill becomes law, the same thing will happen in regard to mortgages. There will probably be 99 out of a 100 mortgages in which the question which will really be about the amount of money or about some other petty matters which the Collector would be perfectly able to dispose of, and probably these cases would never come into Court at all. There will perhaps be one per cent. of difficult and intricate cases involving very lengthy enquiries and difficult points of law, in which the Collector will very probably and properly refuse to proceed with the enquiry, and refer the persons to a civil suit.

"It is stated, for the sake of argument, that the Collectors are desirous of gathering into their net, not only the revenue of the Government, but all other functions. I do not believe that that is the attitude of Collectors at all. If we have an officer who is desirous of amusing himself and wasting his time by going into these intricate questions, and if he gives a wrong decision, it is perfectly open to the party to go to the Civil Court and get his decision upset. And as regards the dreadful things that are anticipated as to the loss of prestige of the Collector on his order being upset by the Civil Court, I am afraid that these things would not in the least distress him. He passes orders in mutation cases which are very often upset and yet his prestige has not been very seriously affected, and I do not think it will be very seriously affected if, under this Act, his orders are upset by a Civil Court. Therefore I must confess that, personally, I am rather inclined to agree with the arguments which have been adduced why, in this summary procedure, the jurisdiction of the Collector is in some respects preferable to that of the Civil Court, without going in the slightest degree into the merits of the two forms of tribunal as to which would deal best with intricate questions."

The motion was put and rejected.

The Hon'ble Mr. FENTON:—"I have now, Sir, to move that the Bill be passed."

The Hon'ble Mr. SHADI LAL:—"Sir, the amendment which I considered the most important one, has been rejected and I am afraid I have no alternative but to oppose the Bill. I do not want to repeat what I already stated in my Note of Dissent, and in spite of the very pertinent observations which have been made by Your Honour, I am still of opinion that this is a matter which ought to be decided by Civil Courts and not by Revenue Officers. I therefore endorse every word stated by the learned Judges, and I am of opinion that this measure ought not to be passed. I know my view is not acceptable to the Member in charge of the Bill and a large number of the Members of this Council, but

[*Mr. Muhammad Shafi.*]

I feel that I have a duty to perform, however unpleasant that duty may be, and however infructuous my attempt may prove to be, and it is in discharge of that duty that I venture to place my remarks before the Council. One of the Hon'ble Judges, the Hon'ble Sir Arthur Reid, has gone so far as to describe this Bill not only as superfluous but as mischievous. Having regard to these remarks coming from such a high authority and to the remarks the other Judges have made, I am still inclined to think that we must give due weight to the opinion of the learned Judges and should not pass this Bill; therefore I oppose this motion."

The Hon'ble Mr. MUHAMMAD SHAFI :—" Your Honour, I have great pleasure in supporting the motion now before the Council. An examination of the opinions recorded by representative gentlemen of all classes, official and non-official, upon the Bill as originally framed and again upon its modified form on the lines adopted by the Committee which sat at Simla in September 1910, discloses a preponderance of opinion in favour of the necessity for the enactment of a law calculated to facilitate redemption of mortgages in this province. Those who have expressed opinions against the proposed enactment constitute a small minority. But in view of the weight which ordinarily attaches to the opinion of some of the high judicial authorities who have pronounced against the adoption of this measure, it is necessary to analyse the grounds upon which their opposition is based. Now, the main arguments advanced against the enactment of the proposed law are (*a*) that it constitutes an unjustifiable encroachment upon the jurisdiction of the Civil Courts; (*b*) that in view of the complicated nature of the questions involved in redemption suits, the handing over of these disputes to Revenue Officers for summary decision is open to serious objection; and (*c*) that the proposed enactment will necessarily result in further injury to the money-lending classes who are already suffering considerable hardship in consequence of certain principles of the Punjab Customary Law as well as of recent legislation.

"Now, as regards the alleged encroachment on the jurisdiction of the Civil Courts, it must be obvious to all Hon'ble Members that if there were any reasonable fear of such an undesirable result being brought about, I would be the first Member of this Council to move the rejection of this Bill. But if what is meant by this objection is that, as a result of the enactment now before the Council, there will be a substantial decrease in the number of redemption suits which, under existing conditions, are instituted in and decided by the Civil Courts who will thus be deprived of the pleasure of adjudicating upon the interesting issues involved in such cases, I have no hesitation in admitting that this result will certainly be produced by the operation of the law which we are about to place upon the statute book of this province. These, however, are suits which, but for the tenacity with which the mortgagee sticks to the land in his possession, ought never to come before the Courts at all and, in consequence, their disappearance from the battle-field of the Civil Courts will not constitute an unbearable disaster either to the Courts themselves or to the population at large. Curtailment of unnecessary and frivolous litigation is an object which the Legislature should invariably have in view, and the substitution of a summary remedy for prolonged and ruinous litigation, absolutely uncalled for, can, in no sense, be regarded as an encroachment upon the jurisdiction of the Civil Courts. Cases of real *bonâ fide* contest between the parties to a mortgage transaction will still find their way into the ordinary courts of law and, in consequence, no one need be apprehensive that these tribunals will, by the enactment of this measure, be deprived of the legitimate exercise of their powers in deciding questions which arise in really contentious suits for redemption.

"Turning now to the second objection raised against the Bill, *i.e.*, that the complicated nature of the questions involved in these cases makes it undesirable to confer summary jurisdiction upon the Revenue Courts in respect

[*Mr. Muhammad Shafi.*]

thereof, a careful examination of the position thus taken up by the opponents of the Bill will make its fallacious character abundantly clear. The questions involved in redemption suits may, generally speaking, be divided into two groups,—(*a*) those relating to the right and title of the person seeking redemption, and (*b*) those concerning the settlement of accounts between the parties to these proceedings.

"Now, in the first place, section 9 of the Bill empowers the Collector to refer the parties to their ordinary remedy at law in cases involving decision of really complicated questions. But what, after all, is the real nature of the so-called complicated questions which ordinarily present themselves for decision in disputes with which the proposed enactment is concerned? Suits for redemption between the original mortgagor and mortgagee seldom involve a determination of the plaintiff's right to redeem, for it is a well known rule of law that the mortgagee cannot deny the title of his mortgagor. It is only where the claimant for redemption is a person other than the original mortgagor that it, sometimes, becomes necessary to decide questions of this description. Generally speaking, these may involve adjudication upon the *locus standi* of the claimant or may raise a bar to redemption on the ground of limitation.

"As regards the claimant's *locus standi* to redeem what the opponents of the Bill really lose sight of is the fact that the Bill does not seek to confer upon the Revenue authorities summary jurisdiction which they are not already possessed of under the existing law. The plaintiff, in such cases, will almost invariably be found to be either one who claims to be the representative of the mortgagor on the ground of inheritance or who seeks to redeem as transferee of the equity of redemption. In either of these two cases, the claimant's right, whether as heir of or transferee from the original mortgagor, has already been summarily determined by the Revenue authorities under the provisions of the Land Revenue Act relating to mutations. Section 34 of Act XVII of 1887 makes it incumbent upon a person acquiring by inheritance, purchase, mortgage, gift or otherwise, any right in an estate as a landowner . . . . . . or tenant having a right of occupancy to report his acquisition of the right to the *Patwari* of the estate. And after the proceedings specified in sub-section (3) of that section have been gone through, a Revenue Officer is, under sub-section (4), empowered to inquire into the correctness of the entries made and to pass such orders as he thinks fit. And under section 36 of that Act, the Revenue Officer is, in disputed cases where he is unable to satisfy himself as to which of the parties thereto is in possession, empowered to ascertain by summary inquiry who is the person best entitled to the property and to direct that that person be put in possession thereof. A careful study of these provisions makes it perfectly clear that, in this respect, the jurisdiction sought to be conferred upon the Revenue authorities by the present Bill is practically already vested in them under the Land Revenue Act and, at all events, is in no way wider in its nature than that which they, at present, enjoy under the existing Revenue law.

"And the plea of bar by limitation stands on no better footing. In the first place, to those who have practised at the Bar as long as I have done, it is a well-known fact that suits in which limitation is pleaded by the mortgage as a bar to redemption are extremely rare. In the whole of the Punjab Record from the year 1866 to 1911, covering a period of 45 years, there are only 19 judgments in which the question of bar by limitation in redemption suits came before the Chief Court for decision, 14 out of these judgments dealing with the question of sufficiency of acknowledgment within the meaning of section 19 of the Indian Limitation Act. And experience shows that, with the lapse of time, the number of such cases has been growing less and less. Since the beginning of the year 1901 only 2 redemption cases have been published in the Punjab Record involving questions of limitation. The reasons for this

[*Mr. Muhammad Shafi.*]

state of things are obvious. With increased material prosperity in the country due to conditions brought into existence by the British rule, the growing knowledge of their rights by the agricultural classes and the rising value of agricultural land owing to extended irrigation, landowners will no longer permit their right of redemption to lapse by neglecting to redeem within the long period of 60 years allowed by statute.

"Moreover, there is another aspect of this question which ought to be borne in mind. Questions of limitation involved in these suits are not always so very complicated as not to be capable of being correctly decided in a summary proceeding. The determination of the orginal date of mortgage is, generally, a simple question of fact and, that having once been ascertained, the rest is, in the majority of cases, a simple matter of arithmetical calculation.

"For these reasons, it seems to me to be abundantly clear that the position taken up by the opponents of the Bill on the ground of the alleged complicated nature of the legal questions involved in redemption suits is absolutely untenable, particularly when the Bill does not seek to deprive the Collector and the parties of the benefit of legal advice and help.

"Your Honour, in the vast majority of redemption suits the principal point in issue between the parties will be found to be one of settlement of accounts. Now this, in the majority of contentious cases, is not so complicated as to be difficult of decision in a summary inquiry by the Collector, which term includes also an Assistant Collector of the 1st grade. On the contrary, it is the Revenue Officer who is in the best of positions to determine the question correctly. The reasons for this statement are not far to seek. In all usufructuary mortgages under the terms of which the mortgagee in possession does not receive the whole of the income in lieu of the entire amount of interest due upon the principal mortgage money, he is bound by law to keep a correct account of the income and expenditure, and it is his duty to take as much care of the mortgaged lands as a prudent owner would, if the lands were in his own possession. But experience shows that the so-called accounts kept by many a mortgagee consist of a maximum of expenditure and a minimum of income so as to swell the balance in order to make redemption impossible or, at any rate, highly expensive. And, in these cases, Courts have to institute independent inquiries as to the income which the lands are capable of yielding. Who is in a better position to make a correct estimate of this than a Revenue Officer? Does not the Chief Court, even now, when remanding cases to original Courts for the determination of this matter often direct them to appoint an experienced Revenue Officer to make this inquiry on the spot? Obviously then, the Revenue Officer is the proper person to deal with this all important question, and the very fact that the Civil Courts often refer this matter to him for inquiry shows that while these matters may be too complicated for themselves, they are not so for the officers whom this Bill seeks to invest with summary jurisdiction. And the same process of reasoning applies, *mutatis mutandis*, to cases in which the mortgagee in possession claims, under the conditions embodied in the mortgage-deed, compensation for improvements alleged to have been made by him in the land during the period of his possession.

"The next contention advanced by the opponents of the Bill is, in my humble judgment, equally unsound. The apprehension entertained in certain quarters as to the injurious effects of this enactment upon the professional money-lender is, to my mind, the result of a nervousness for which there is, in reality, no ground whatsoever, and is based upon an assumption entirely unjustified by facts. The restrictions imposed by the Customary Law of this province and by the Punjab Alienation of Land Act have no relevancy whatever to the real issue involved in this part of the discussion. All that the

[*Mr. Muhammad Shafi.*]

mortgagee is entitled to is the recovery of his debt, secured upon the land in his possession, and upon the payment thereof he is legally bound to restore the land to the mortgagor. So long as he obtains his pound of flesh it is immaterial to him whether the agency which uses the knife is a Civil or a Revenue Court. And if, as a result of the summary inquiry by the Collector, he fails to get what is really due to him, the doors of the Civil Court will still be open to him to question the validity of the order passed by the Revenue authorities.

"But what I desire, in particular, to impress upon the Council in this connection is the entirely one-sided nature of this untenable position. The advocates of this view lose sight of the injuries which the unfortunate mortgagors have to suffer under the existing conditions. After the exercise of strict economy extending over a number of years or by borrowing money upon somewhat easier terms the mortgagor manages to collect funds sufficient to redeem his lands. The conditions embodied in the mortgage-deed allow redemption only in the month of *Jeth*. By resort to various subterfuges, of which he is a past master, the astute money-lender avoids the final settlement of accounts during that month. His books happen to be in Court in connection with a pending litigation ; he himself is away at the head-quarters of the District attending to a case or has gone on a pilgrimage to Hardwar ! And if the mortgagor issues a registered notice, the postal peon returns it with the usual report that the addressee is away from home ! The mortgagor is thus compelled to institute a suit for redemption. He must pay full court-fee on the principal mortgage-money ; the suit takes its weary course through a number of courts, original and appellate, and several years must elapse before the unfortunate zamindar obtains his decree for redemption. Then comes what has often been truly characterized as the beginning of the litigant's real trouble, *i.e.*, the execution of decree. And very often the decree thus obtained is of no use to the poor agriculturist. For, the money scraped together by the mortgagor has been spent in this protracted litigation, and the decree being conditional on payment of the sum found due by the Court, he is not in a position to execute it. The result is a second suit for redemption after the lapse of a further term of years. Meanwhile, the mortgagee continues in possession and is thus successful in defeating the ends of justice by keeping the mortgagor out of his estate. All this will, in the majority of cases, become impossible if the proposed enactment receives legislative sanction, and this is the real reason of the opposition to the Bill by those of our Indian friends who have the interests of the money-lender at heart.

"That the enactment of the proposed law will curtail Civil litigation does not admit of any doubt. The exercise, by the Collector, of the summary jurisdiction vested in him under the provisions of this law will, *ipso facto*, shut out all frivolous litigation of the type I have just described from the Civil Courts of this province, and from this point of view the proposed enactment will prove of the highest benefit in reducing agricultural indebtedness. The majority of the agriculturists in this province are small farmers, and it is they who need most the relief which this Bill is intended to afford. The larger landowner will, in no way, be affected by its provisions, and his dealings with the money-lender will continue as before. It is the smaller agriculturist of the province who forms the backbone of the country. This enactment, while involving no real hardship to anybody, will release him from a tyrrany under which he has been groaning ever since the intricacies of our legal system have enabled certain classes to hold him tight in their clutches and will bless the first Council under the Reform Scheme for having afforded him a much-needed relief.

"Your Honour, I have considered it necessary to meet, at some length, the criticism advanced against this measure for the reason that I feel a certain amount of personal responsibility in connection with this Bill. When some three

[*The President; Mr. Tollinton; Mr. Shadi Lal.*]

years ago the Bill as originally drafted was circulated for opinion, I ventured to point out that to enable the mortgagor to have the mortgagee summoned before the Collector and to obtain redemption only if the two were agreed as to the sum under the conditions of the mortgage deed, would not only fail to achieve the end in view, but would create unnecessary trouble and worry for both parties. And when that Bill was placed before a committee which met at Simla in September 1911, I pointed out that the existing Civil and Revenue Law of the land afforded precedents which ought to be adopted in the present instance if it was intended really to provide a speedy and an inexpensive remedy for redemption of lands held in mortgage. I instanced the cases of objections to attachment of property in execution of decree under the Code of Civil Procedure and of contested mutations under the Land Revenue Act, and proposed that the adoption of a summary inquiry of the kind with similar consequences was the proper remedy to be adopted in the case. All the members of that Committee, with the single exception of my friend the Hon'ble Mr. SHADI LAL, accepted my suggestion and the Bill was drafted accordingly. The adoption of the present measure, therefore, is a source of peculiar gratification to me, and I rejoice to have had a hand in the enactment of a law which, I am convinced, will be of the utmost benefit to the majority of the population of this province."

His Honour the PRESIDENT :—" There is only one slight remark I might make before I put this motion to the Council, and that is from some of the remarks that fell from the Hon'ble Mr. HARI CHAND, it seems he is under the impression that this is class legislation,—a charge which has also been made against the Bill elsewhere. I would only point out that the Bill refers to all agricultural land, and that it has been frequently impressed upon us that there are money-lenders among the agriculturists as well as among the non-agriculturists. Consequently it can hardly be said to be class legislation."

The motion was put and agreed to.

THE PUNJAB PRE-EMPTION BILL.

The Hon'ble Mr. TOLLINTON in presenting the report of the Select Committee on the Bill to amend the law relating to pre-emption in the Punjab said :—" Your Honour, I beg to present the report of the Select Committee on the Bill to amend the law relating to pre-emption in the Punjab.

" With the exception of the two points noted in the Minutes of Dissent at the foot of the printed report, and on which I reserve my remarks, I have little to add to what is said in the Select Committee's report.

" The Bill is essentially one to remove anomalies that have been found to exist in practice in the present Act. It introduces no new principle and the only contentious matters in connection with the measure relate to the application of the principle to certain kinds of land or certain kinds of sales.

" I also move that the Bill be taken into consideration."

The motion was put and agreed to.

Before the Hon'ble Mr. MUHAMMAD SHAFI moved the amendment that stood in his name, the Hon'ble Mr. SHADI LAL said :—" I object to that amendment being considered because due notice was not given. The Select Committee considered and rejected this proposal of my Hon'ble friend, and if he wanted to move an amendment, he ought to have given due notice. This is the first time I have come to know that there was an amendment of that kind. I therefore strongly object to this amendment being taken into consideration. If I had known of it, I would have quoted chapter and verse against it, but I am not at all prepared to state my authority. At least three days' notice is required and that has not been given."

[*The President ; Mr. Shadi Lal ; Mr. Muhammad Shafi ; Mr. Tollinton.*]

His Honour the PRESIDENT :—" The rule says two."

The Hon'ble Mr. SHADI LAL :—" May I point out that this matter was duly discussed by the Select Committee. My learned friend proposed it before the Select Committee ; it was considered, and the majority of the Select Committee rejected his proposal. If he wanted to move an amendment, he was perfectly within his rights to give us due notice. Surely it is, if I may say so, unfair to us that we should be asked to discuss a matter for which we are not at all prepared."

The Hon'ble Mr. MUHAMMAD SHAFI :—" May I state, Your Honour, that it was on account of a misapprehension on my part that the amendment was sent in on Thursday instead of Wednesday. I thought that, if it was sent on Thursday morning, it would be within the three days' rule ; otherwise I could easily have sent it on Wednesday. There would have been no difficulty about it, and that is the reason why it was not sent in three clear days before the meeting. I thought, if sent in on Thursday, it would be within the three days."

The Hon'ble Mr. TOLLINTON :—" I may say that, though we have discussed the proposed amendment in Select Committee, I do not think it was very thoroughly discussed there and I, as Member in charge of the Bill, am not averse to its being discussed here. I do not think Mr. SHADI LAL will find any difficulty in opposing the amendment. I, as Member in charge, have no objection to the motion being moved."

His Honour the PRESIDENT :—" There is no doubt that the action taken by the Hon'ble the Mover of this amendment is not altogether convenient, and I do not know what particular reason he had for cutting the time for it so fine. It certainly is more convenient that the Council should have time to consider amendments—even more than the three full days provided as the minimum period in the rules—but as this is the last meeting of the present Council, and as we are ready and willing to admit for consideration of the Council any important matter such as this which the Hon'ble Mr. MUHAMMAD SHAFI desires to bring before it, in the present case, and especially in view of the remarks of the Mover of the Bill, I am prepared to allow the amendment to be put. But I hope that in future there will be a strict compliance with the spirit of the rule, as well as with the letter."

The Hon'ble Mr. MUHAMMAD SHAFI :—" I thank Your Honour and move that in clause 9 the words ' or in respect of any sale sanctioned by the Deputy Commissioner under section 3 (2) of the Punjab Alienation of Land Act, 1900,' be omitted."

" The Hon'ble Members are already aware of the fact that this part of section 9 did not find a place in the old Pre-emption Act, but has been introduced in the present Bill. The effect of this provision is that all sales by members of agricultural tribes to members of non-agricultural classes when they have been sanctioned by the Deputy Commissioner will hold good and the right of the pre-emptor, whether he is one of the co-sharers of the property or a member of the family to which the vendor belongs, will be extinguished thereby. This result, I submit, is in the highest degree undesirable. By the Punjab Alienation of Land Act a member of an agricultural tribe could only sell land to another member of the agricultural tribe. The sales otherwise made are subject to the right of pre-emption, but the sale which is sanctioned by the Collector is by virtue of this provision not subject to the right of pre-emption. As this result is undesirable I submit that the pre-emptor should have his right to pre-empt the property. It may be that a

[*Mr. Shadi Lal.*]

member of a non-agricultural tribe may apply for sanction and obtain it from the Collector. Now the pre-emptor who may not have sufficient money in his pocket at that time would therefore lose his right to purchase it. Why should he be deprived of his legal right to purchase the land within a year or a few months afterwards when he is in a position to buy it. Therefore this provision is opposed to the ends for which the Punjab Alienation of Land Act was passed, that is to say in order to stop the passing of lands from the hands of agricultural classes into the hands of non-agricultural communities. By the enactment of the provision that the sanction by the Collector will be a bar to the exercise of the right of pre-emption by a member of the agricultural tribe or a member of the same group to which the vendor belongs, you are defeating the very ends and the very purposes for which the Punjab Alienation of Land Act was passed. By the instructions issued by the Financial Commissioner it is necessary to make enquiries in the case of sales by agriculturists as to whether the pre-emptor is willing to purchase the land or not. But as I have already said in the first place the pre-emptor may at that particular moment not have sufficient funds to purchase that land, and in the second place it may be that the Collector is not in a position to make enquiries required under these instructions personally. As is generally experienced these matters are sent to the Tahsildar or the Revenue Assistant or a member of the village community to enquire as to whether any possible pre-emptor is willing to purchase the land. And it is not inconceivable that the Tahsildar or the Revenue Officer may send up a report that no one is willing to purchase the land without sufficient enquiry. It is just possible in such a case that those who have a right of pre-emption may not have been clearly informed of the intended transaction. It seems to me, however, that in introducing this clause into the present Bill you are defeating the objects of the Punjab Alienation of Land Act and at the same time depriving those who have a best legal right. I therefore move that the words in question may be omitted."

The Hon'ble Mr. SHADI LAL :—"I am afraid, Sir, the argument of my Hon'ble friend is based upon the assumption that, if a person is deprived of the right of pre-emption, a great hardship is inflicted on him. I entirely differ from that assumption.

"My own idea is and I have it on a high legal authority that pre-emption is an evil. All the learned Judges of the Chief Court with the exception of one have said so. They are in favour of the total abolition of pre-emption. They have pointed out that a great deal of unnecessary litigation is due to pre-emption. Only a short time ago when discussing the provisions of the Redemption of Mortgages Bill my Hon'ble friend insisted on doing away with unnecessary litigation. I should in view of those remarks like him to withdraw this motion. I may further submit that the learned Judges of the Chief Court were of opinion that an enormous amount of time of the courts is wasted in these cases which are not brought forward out of honest motives, and that the pre-emption should therefore be abolished altogether. In view of these facts is it desirable that there should be a right of pre-emption in respect of sales which have been sanctioned by the Collector. Before the Select Committee I pointed out that there is a circular of the Financial Commissioner which lays down that the Deputy Commissioners will not grant sanction unless they have first of all found that no member of an agricultural tribe is willing to purchase the land. The Deputy Commissioners are required to make long and exhaustive enquiry before they sanction a sale in favour of a person who is not a member of an agricultural tribe. The Financial Commissioner

[*Mr. Tollinton; Mr. Muhammad Shafi.*]

in considering the opinions of the Deputy Commissioners on the present clause wrote a long note which was considered by the Select Committee. He came to the conclusion that the proceedings of the Deputy Commissioner are always open to revision by the Commissioner or the Financial Commissioner and sanction can always be rescinded if it is found that injustice has been done or that the provisions of the law have not been observed, and that further to allow pre-emption in the case of such sales is to nullify the whole proceedings before the Deputy Commissioner under the Land Alienation Act, and he was of opinion that this clause should be left as it was. All these matters were considered by the Hon'ble Messrs. FENTON and TOLLINTON, and the other Members of the Select Committee, and the majority of them were in favour of retaining the words in question. I do not think sufficient arguments have been advanced for making a change in this direction. I therefore oppose the motion."

The Hon'ble Mr. TOLLINTON :—" I am opposed to this amendment. I admit that there is a specious attraction in the point of view that we are extinguishing a right, which, if the Deputy Commissioner's sanction had not been artificially rendered necessary to certain sales under the Land Alienation Act, would continue to exist. But the instructions laid down in paragraph 37 of the Land Administration Manual are quite clear that the Deputy Commissioner should not give sanction to a permanent alienation under section 3 (2) of the Land Alienation Act unless he is satisfied that no member of an agricultural tribe included in the same group as the vendor has offered or is ready to offer a fair price for the land. This surely sufficiently protects the rights of possible pre-emptors as clause 14 of the present Bill confines the right of pre-emption in the case of agricultural land to members of an agricultural tribe in the same group as the vendor, and the instructions provide that the Deputy Commissioner shall in giving sanction take into consideration all claims on behalf of such persons. We must also look to the interests of commercial enterprise. Permission to alienate under section 3 (2) of the Land Alienation Act is most ordinarily given in the case of sites and in the case of land close to towns. It is not desirable that pre-emption should be unduly encouraged to defeat such sales, and I am of opinion that the instructions given in the Land Administration Manual sufficiently protect intending pre-emptors."

The Hon'ble Mr. MUHAMMAD SHAFI :—"With Your Honour's permission, I should like to say just a few words. I propose to notice only two remarks made by my Hon'ble friend Mr. SHADI LAL. He said that, pre-emption being an evil, it would not be a hardship if the pre-emptor were deprived of his right. That pre-emption is an evil I am not prepared to concede. On the contrary; I appeal to the opinions expressed by almost all members even of non-agricultural tribes, who were consulted, and who were almost unanimous in saying that the law of pre-emption must be retained, particularly in towns. This body of non-agricultural opinion I appeal to in opposition to what the Hon'ble Mr. SHADI LAL has just stated. Then my Hon'ble friend stated that, as pre-emption led to unnecessary litigation, I should, upon the same principles which I ventured to enunciate in my speech on the Redemption of Mortgages Bill, withdraw my present amendment. I do not see how the principle which I enunciated in that speech has anything to do with the present matter. What I deprecate, and what I am sure all Hon'ble Members of this Council would deprecate, is unnecessary and unjustifiable litigation, and not litigation to enforce a right which is vested in one by the law of the land. A suit instituted in order to enforce such a right can never be said to be an unnecessary suit or a frivolous suit, and if I am right in saying so, the Punjab Customary Law as well as the statutory law relating to pre-emption have in vested the members of the agricultural communities and relations and so on with certain rights which this proviso now seeks

[*The President; Mr. Shadi Lal.*]

to take away, then I venture to submit I am right in saying that this is not a proposal calculated to encourage unnecessary litigation. On the contrary, it is a proposal calculated to protect vested rights."

His Honour the PRESIDENT:—"The remarks of the Hon'ble the Mover of the amendment at any rate make it clear that there is a very strong opinion held by some members of this Council that the Law of Pre-emption as it exists stands in need of amendment only and not of repeal. I think that has also been made abundantly clear during the discussion of the amendment of this Bill, since no Hon'ble Member of this Council has been bold enough to recommend, as has been suggested by the Press, that the Law of Pre-emption in this province should be abolished. That is the actual view of the Local Government in this province. We regret that pre-emption exists. But it is a dearly prized right, and experience of the past has shown us that the idea even that rights affecting agricultural land were to be infringed is liable to give rise to almost serious agitation and even discontent, though there may not have been any sound foundation to the idea. Our feeling is that if we had attempted to abolish the Law of Pre-emption, there would undoubtedly have been a very serious agitation against such abolition, more particularly in fact in towns as well as regards agricultural land. That is the reason why we have decided rather to adopt the humbler measure of amending the Law of Pre-emption than to attempt to end our ills by abolishing it. It has its advantages; it has its disadvantages; at any rate, at present its abolition is not proposed. Our legislation is not for an ideal state of things but for the actual conditions of the country with which we have to deal.

"Now the view I take of the particular amendment is, are the rights of the benefited pre-emptor sufficiently safeguarded by the Bill as it stands? The Hon'ble Mr. MUHAMMAD SHAFI thinks there might possibly be injury caused to some pre-emptor who had not the money available at the time, and it is very wrong to deprive him of a right which he otherwise would be able to exercise. There is no doubt of it that there is a great deal of force in that remark. At the same time the Hon'ble Member—and we must all I think agree with him—is strongly averse to resorting to unnecessary litigation. We cannot legislate against injury to every individual person. Hon'ble Members have got to see whether they think that the enquiries made by the Collector before he gives sanction are sufficient safeguard for the rights of pre-emptors, or whether it is necessary, in order to secure those rights, that we should remove these clauses."

The amendment was put and lost.

The Hon'ble Mr. SHADI LAL moved that at the end of clause 9 the words "or in respect of any sale of agricultural land within the limits of a town" be added. He said:—"Clause 9 deals with cases in which there shall be no right of pre-emption. By means of my amendment, I propose to add one more case to the list of exemptions from pre-emption. I move that the agricultural land within the limits of towns should not be subject to the right of pre-emption. There is some land within the municipal limits of towns which, though technically agricultural land, is not used for agricultural purposes. This land is sought after for constructing buildings for industrial, commercial, educational and residential purposes. In the interests of the growth of towns, the growth of industries and commerce, it is most essential that there should be no restriction on the transfer of such land. Having regard to these facts, the Government has been pleased to notify that the Alienation of Land Act shall not apply to agricultural land within the boundaries of a municipal committee. That being the case, it follows *a fortiori* that the vendee of such property should not be hampered by pre-emption suits.

[*Mr. Shadi Lal ; Mr. Fenton.*]

"All the learned Judges of the Chief Court, with the exception of one, are of opinion that pre-emption is an evil, and should be abolished altogether. The Local Government considers that it is a necessary evil, and the time is not yet for its entire abolition. I submit the evil should be strictly confined to those properties for which its necessity is established. Now what is the necessity for pre-emption as to these isolated plots of land in a town? The law of pre-emption in villages is defended on the ground that it is required to preserve the village communities. As regards houses in a town it is said that we require it to exclude undesirable neighbours and to preserve the *parda* system. Does any of these arguments apply to the agricultural land, say, in the Civil Station of Lahore?

"The experience of the working of the present Act has shown that great hardship has resulted from the exercise of this right of pre-emption. I have been told by several European gentlemen of commercial community that pre-emption in the Civil Station of Lahore is a great nuisance. It has led to a large number of speculative suits. In Lahore, whenever there is a sale, a pre-emption suit is filed by a person who is a man of no substance, but has been instigated to do so by a speculator. I know of one case, where the vendee had to pay Rs. 15,000 to induce the pre-emptors to drop their pre-emption suit. Men in charge of educational institutions have found difficulties in purchasing land for college buildings or recreation grounds. A few years ago I, as a member of the University Inspection Committee, went to Sialkot to inspect the Mission College there. We wanted that the college classes should be in a separate building from the School classes, and the Principal agreed to it. He purchased a plot of land, but could not build at once on account of the law of pre-emption and the fear of the pre-emption suits. Take another instance. A person whose house had been submerged by the Indus migrated from Dera Ghazi Khan to Multan and purchased 1 kanal of land to build a house thereon. He constructed a building for his residence. A pre-emptor filed a suit for pre-emption and took away from the unfortunate vendee the land as well as the house. This is a typical case. Several cases of this type take place every day. I request you to consider whether this is a desirable state of affairs. If you want the people to come out of crowded places and build sanitary houses, if you want industrial development of the province, if you want the colleges to have hostels and play-grounds, you must remove the unnecessary restrictions. You, Sir, have been a great patron of industries, you have done a great deal to improve the sanitary condition of our towns, you have seen the development of hostel system. I appeal to you, in the name of the progress of this province, to remove this difficulty out of the way of free transfer of property. One more fact I should like to mention. The Select Committee discussed this matter, and the opinion was equally divided, three were in favour of pre-emption and three against pre-emption. I am glad to state that the Hon'ble Mr. Fenton was strongly of opinion that land in towns should not be subject to pre-emption. The Hon'ble Mr. Tollinton was of a different opinion, and his point was carried by his casting or second vote. I submit that I have made out a case in favour of my motion."

The Hon'ble MR. FENTON :—"I should like to explain my reason for having supported the Hon'ble Mr. SHADI LAL's proposal in the Select Committee and for now voting against it, as I propose to vote against it. I am afraid when I did support the motion in the Select Committee, I had not adequately studied all the other provisions of the Act. I am in full sympathy with the object which Mr. SHADI LAL has in view, namely to promote the transfer of land situated in the vicinity of towns in the interests of commerce and trade; but I think that object can be more usefully and successfully achieved by the action of the Local Government under section 8 (2) of the Bill, which empowers the Local Government 'to declare by notification, &c., (reads section).'

[*Mr. Fenton ; Mr. Hari Chand ; Mr. Tollinton ; Mr. Muhammad Shafi.*]

"The Local Government has in that manner arranged that the provisions of the Land Alienation Act shall not operate to hamper the transfer of property for commercial purposes, and I do not see why, in a similar manner, the operation of the pre-emption custom cannot be limited by a notification. There is also this to be said, that if these words were added to the clause and pre-emption were barred in the case of towns, there would often be litigation as to what was meant by a town, whereas in a notification of the Local Government a list of the particular municipalities in which, in the interests of trade and commerce, it is desirable that pre-emption shall not exist, can be published for the information of all concerned. Therefore, while entirely in sympathy with the objects Mr. SHADI LAL has in view, I think it would be better to achieve them by a notification under the Act."

The Hon'ble Mr. HARI CHAND :—"In support of the Hon'ble Mr. SHADI LAL I would say, Your Honour, that we are put to great difficulties. We cannot get a plot of land to build houses, and, as the Hon'ble Mr. FENTON says, Your Honour will take this into consideration when framing notifications under the Act. I will quote one case. At Multan a friend of mine bought a bungalow outside the city, and the result was this, he had to pay the pre-emptor to give up pre-emption of the land and then he was allowed to retain the house. And so all these difficulties arise. We cannot get the bungalows outside the city, and it is a great inconvenience to us all. For this reason I think my friend has put this amendment, and, as the Hon'ble Mr. FENTON says, that is one of the objects which will be achieved, and I have brought these difficulties to Your Honour's notice."

The Hon'ble Mr. TOLLINTON :—"I am opposed to this amendment. It is true that the main provisions of the Land Alienation Act are not applicable to land within municipal limits, but I consider that to take away the right of pre-emption in the case of all agricultural land within municipal limits would be felt as an interference with a long established right, and it must be remembered that municipal limits often include large areas of highly cultivated agricultural land, used solely for purposes of agriculture. Also I do not consider that the exemption of all such land from pre-emptive rights is in any way necessary. Protection to sales for commercial purposes is already sufficiently given by the power vested in the Local Government under clause 8 (2) of the Bill which runs—

> 'The Local Government may declare by notification that in any local area or with respect to any land or property or class of land or property or with respect to any sale or class of sales no right of pre-emption or only such limited right as the Local Government may specify shall exist.'

"It is also given in another way by the last sentence of clause 9 which abolishes pre-emption in the case of all sales sanctioned by the Deputy Commissioner under section 3 (2) of the Land Alienation Act. I think the amendment is designed to take away an existing right that in many cases is highly valued. It is also unnecessary, and as such I oppose it."

The Hon'ble Mr. MUHAMMAD SHAFI :—"Your Honour, I regret I am unable to agree to this amendment. My Hon'ble and learned friend does not propose to abolish pre-emption in towns generally, but has brought forward an amendment to the existing law which will result in this anomaly that while residential houses in towns will, as hitherto, be subject to the rules of pre-emption, agricultural lands within the boundaries of those towns and surrounding the *abadi* will no longer be governed by the existing law. And this anomaly will not stop here. A piece of agricultural land belonging to an agriculturist is sold in the vicinity of the *abadi* of a town which is not divided into definite sub-divisions and in which the custom of pre-emption prevails. Residential

[*Mr. Muhammad Shafi ; Mr. Shadi Lal.*]

houses are built upon it and become absorbed into that *abadi.* The custom of pre-emption prevailing in the town generally will, *ipso facto*, apply to this natural extension of the town *abadi.* Acceptance of the amendment proposed would thus result in this curious double anomaly, that while pre-emption obtains as regards residential houses generally in a town, it will, at the same time, be non-existent in the case of agricultural land, but when the land has been sold by its agricultural owner to another person, who will, in the majority of cases, be a non-agriculturist, a few months afterwards it will become subject to the rules of pre-emption as soon as houses have been built thereon. The results of this amendment are so obviously irrational that they have simply to be stated in order to make its hollowness absolutely clear.

"Again the majority of so-called towns in this agricultural province are only fair-sized villages, which are neither manufacturing nor industrial centres. I have not been able to consult the figures of the recent census. But according to the Imperial Gazetteer there were in 1901 only three cities in the Punjab with a population exceeding 100,000, while there were 53 towns with more than 10,000 and 99 with more than 5,000 souls. Recently the Government has conferred upon municipalities in towns with a population of 15,000 or above the right of electing representatives to the Provincial Legislative Council, and the total number of these municipalities in the three electoral groups is only 30. It is, therefore, clear that the adoption of the amendment, while serving no useful purpose whatsoever, will abolish a much valued right in a large number of what really are fair-sized villages to the injury of our agricultural population.

"Moreover, in the larger municipal towns a number of agricultural villages, in some cases as many as half a dozen, have been included for purposes of municipal administration. My learned friend's amendment will reduce these agricultural communities to the level not even of the population of the town itself in cases where the custom of pre-emption exists in the town *abadi*, but to a position infinitely worse. They will have lost the rights at present vested in them by law, and will not have gained those which even their non-agricultural countrymen possess within the town *abadi.*

"All this confusion likely to result from this amendment is absolutely unnecessary in view of the powers vested in the Local Government under section 8, sub-section (2), of the Act. Wherever the necessities of the situation so require, the Local Government can exempt a particular town from the application of the Act, and upon the issue of such a notification the object which my friend has in view will be realized. In these cases it is always best to deal with each case upon its own merits than to drive a coach-and-four through the existing law to the injury of a large class whose rights should be carefully protected and safeguarded by the legislature.

"For these reasons I am strongly opposed to this amendment."

The Hon'ble Mr. SHADI LAL :—"I would like to make one or two remarks in connection with the alleged anomaly which has been pointed out by the Hon'ble Mr. MUHAMMAD SHAFI. Let me point out that there is no anomaly at all. The right of pre-emption applies to those houses where the Indians live with their families; it certainly does not apply to the bungalows in the Civil Station, and no new custom of pre-emption can be proved under the law as it exists now. There is a great deal of force in what the Hon'ble Mr. FENTON has said, and if a general notification to that effect could be issued by the Local Government, I should be the last person to press my amendment; but the difficulty is that it is not an easy task to move a large number of officers in order to induce them to recommend that

[*The President ; Mr. Shadi Lal ; Mr. Tollinton.*]

a notification under section 9 should issue. I understand that a large number of commercial people, including Mr. Muir Masson of the Punjab Banking Co., applied a few years ago for the issue of a notification under a similar section of the Punjab Pre-emption Act. I am afraid their application was not successful ; and that was the reason why I propose that there should be a provision of the Bill exempting building lands from pre-emption. The notification of the Alienation of Land Act is a general one exempting all land within the limits of a town. If a general notification or a partial notification applying to land in towns could be issued, the object I have in view would be met."

His Honour the PRESIDENT :—" I have no doubt that the Local Government would always be prepared to exempt any particular plot of land which was required for any specific or commercial purposes ; and also that if a municipality or local authority were to come up to the Local Government of the Punjab, and suggest that, for reasonable extension of the town, it was desirable to include within the town for building purposes a certain area of agricultural land free of special rights of pre-emption attaching to agricultural land, the Local Government would comply with the request.

"I daresay Hon'ble Members have seen in the local papers a very important budget of correspondence published, I think by the Government of India, for general information, as regards the special measures to be taken in future for town planning and the laying out of towns on more satisfactory lines than at present. If these measures are carried into effect, and no doubt they will be eventually carried into effect, the special object of the Hon'ble Member undoubtedly will be achieved by the special regulations which would have to be issued. But at the same time, as the Act now stands, I do think the hardship which has been experienced in the past was a very great hardship. It was one of the great reasons why we felt rather inclined to wish that there was no such thing as pre-emption, so that persons who wish really to buy land for commercial, educational or even residential purposes will not have any serious difficulty.

"I cannot agree myself to accept the amendment altogether as it stands because sometimes the area is very, very large indeed. Take Lahore, within the limits of the municipality there are a great number of purely agricultural villages included. If we apply a general notification to the whole of the municipal limits of Lahore, we should undoubtedly be causing a most serious discontent amongst those purely agricultural villages. But there is no reason why, if it is found that, in any particular area in Lahore, people are anxious to build houses and it has ceased to be agricultural land, and has become urban, the municipality should not come up freely to the Local Government and say that, after fully considering the actual facts of the case, and studying the limits which they wish to apply to the area built upon, they wish the Local Government to declare that within that particular area, pre-emption should not exist. If that were done—I am now speaking for myself—I am quite sure the Local Government would give it the most patient consideration."

The Hon'ble Mr. SHADI LAL :—"In view of the remarks very kindly made by Your Honour I beg to withdraw my motion."

The Hon'ble Mr. TOLLINTON moved that the Bill as amended by the Select Committee be passed. He said :—

"I have nothing further left to say; everything that was contentious in the measure has been threshed out. With the consideration and rejection of these two amendments, the recommendations of the Select Committee have been endorsed. The Bill is merely, as I have said before, a measure to do away with anomalies that have been found in the existing law with regard to pre-emption. I move that the Bill, as amended, be passed."

[*Mr. Muhammad Shafi.*]

The Hon'ble Mr. MUHAMMAD SHAFI : -- "Your Honour,—In rising to support the motion now before the Council, I desire to offer my humble congratulations to Your Honour's Government for its wise decision in refusing to accept the proposal to abolish the Law of Pre-emption in this province. Apart from the undoubted fact that such a drastic measure would cause deep dissatisfaction among the vast majority of the people, more particularly among that portion of our population for whose welfare the Government has always shown such commendable solicitude, and putting aside the incontrovertible position that the legislature should, as a rule, not interfere with the ancient customs of the people designed to meet the special requirements of their social life, an unprejudiced examination of the arguments advanced in support of this extraordinary proposal makes its unsoundness perfectly clear. The two main reasons advanced in support of this suggestion are that the passing of the Punjab Alienation of Land Act has rendered the continued existence of pre-emption quite unnecessary, and that it constitutes an unjustifiable interference with that sacred doctrine which bears the name of freedom of contract.

"Now, the Punjab Alienation of Land Act was placed on the Legislative Council with the object of stopping the passing out of land from the hands of agricultural communities of this province into those of members of non-agricultural classes. The process of expropriation of the stalwart agricultural races of the Punjab, which had been steadily going on ever since the theory of freedom of contract was brought into actual practice after the annexation of this province, constituted a grave political danger for the effectual removal of which that legislation was undertaken. That the Act has fully accomplished its object admits of no doubt. But the continued existence of the customary rules of pre-emption is as essential to the well-being of our rural population now as it was before the passing of the Alienation of Land Act. It is not olny the body of agricultural tribes as a whole, but also the various tribes individually, the village communities and the agricultural families which need equal protection. The expropriation of the minor agricultural families, the breaking up of the compact village communities and the swallowing up of the minor or weaker by the more powerful agricultural tribes is in the highest degree detrimental to the best interests of the country and the State, and would constitute as grave a political danger as that for the safeguarding of which the Alienation of Land Act was passed. The provisions of that Act are absolutely powerless to prevent such a catastrophe : it is the continued existence of the Law of Pre-emption alone which constitutes a real safeguard against it. The inevitable result of the abolition of pre-emption in rural areas will be that the bigger fish will swallow up the smaller ones, and that class of sturdy Punjab agriculturists who now are the pride of the Indian army, *i.e.*, the small farmers, will either be reduced to the status of tenants eking out their livelihood under rack-renting landlords or will be driven from their ancestral homes either to roam about the country to the injury of the law-abiding portion of our population or to drift towards the towns for the purpose of finding employment under conditions calculated to destroy their fine physique. It is the preventive as well as remedial effects of pre-emption which constitute an effective shield against the disintegration of agricultural families and village communities, and the policy which seeks to deprive our agricultural communities of this protection is, to my mind, an extremely short-sighted one.

"Your Honour, the tendency of modern land-legislation even in advanced European countries is in the direction of creation of small holdings. Whether it be the quixotic scheme of State nationalization of land and the creation of State-tenants started by a Lloyd George or the creation of small proprietary holdings advocated by a Bonar Law, both aim alike at the extinction of centralization of land in the hands of the few to the detriment of the many, which

[*Mr. Muhammad Shafi ; Mr. Shadi Lal.*]

is the inevitable result of an unrestrained application of the doctrine of freedom of contract. The wisdom of the ancient law-givers in the East foresaw that evil, and the evolution of the custom of pre-emption was one of the results of that foresight. It seems to me that those who advocate its abolition in the rural Punjab do not realize the ultimate consequences of this proposal not only upon the agricultural population, but also upon the welfare of the province as a whole. With all respect to the advocates of this policy, it is, in my humble judgment, opposed to real statesmanship to be led away by a doctrine, however attractive in theory, which is losing its hold even in the West, and to seek to give it full effect in the East, the social conditions of which need the continued existence of customary rules suited to the life of the people.

"I have said that the shibboleth of the freedom of contract is losing its hold even in the West. A close study of what has been and is now happening in that freest of free countries, which is the centre of our glorious British Empire, is sufficient to establish the correctness of this statement. Does Trade Unionism represent freedom of contract? Is Mr. Lloyd George's National Insurance Act, with its compulsory clauses, based upon contractual freedom? Is a Miner's Eight Hours' Bill proof of freedom of contract between the employer and the employé? Are the present radical campaigns of Land Reform and the corresponding Unionist scheme already foreshadowed based upon this sacred doctrine? And if western countries can, in these and other respects, no longer boast of faithful adherence to a theory which has been found wanting when weighed in the balance of practical experience, why should it lead our legislators to abolish ancient customary rules prevailing in Indian society which are suited to the particular needs and requirements of our people, particularly in the present stage of their advancement?

"Your Honour, for these and other reasons, which it is unnecessary to discuss, I congratulate the Government upon their wise decision to refrain from abolishing ancient customary rules of pre-emption by legislative mandate, and have great pleasure in supporting the motion for the passing of this Bill."

The motion was put and agreed to.

The Hon'ble Mr. SHADI LAL :—"As this is the last meeting of the present Council over which Your Honour will preside, and as many of us will be moribund in a few days, I should like to make, with Your Honour's permission, a few remarks on the work of the Council during the three years of its existence. I am sure I am voicing the feelings of all the non-official members of this Council when I say that we are grateful to Your Honour for the invariable courtesy and kindness which you have shown to us and the fairness and impartiality which you have observed in presiding over the deliberations of this assembly.

"Your Honour has had a most unique experience such as falls to the lot of few who are called upon to fill the exalted office of the Lieutenant-Governor of a province. As Chief Secretary Your Honour assisted in the creation of the Legislative Council in 1897. It fell to your lot to pilot the first legislative measure ever introduced in the Local Legislative Council. You have had excellent opportunities of judging the usefulness of the then Council and the ability of the limited number of non-officials who were selected by the Government. Subsequently when the time came to reform the Council you supported the scheme even in opposition to the opinions of some of the well-known officials of the Province. You have watched the working of the Reformed Council during its first term, and will have a further opportunity of judging its work with the elected element reinforced. Few can claim such intimate knowledge and experience of the growth of the Council from what it was fifteen years ago to what it would be on the reassembling of the Council

[*Mr. Shadi Lal.*]

early next year under new conditions. The growth can by no means be considered slow. Indeed the privilege of the Budget discussion and the right of interpellation and of moving resolutions are new to us. It may rightly be claimed on behalf of this Council that none of these privileges and rights have been abused, and that the Government has had no reason to regret the step it took in reposing confidence in the people of this Province and granting them greater opportunities than before for co-operation in the difficult task of administration. On the other hand, it might be doubted whether we have yet contributed anything substantial or of enduring benefit to the Budget discussion or made many valuable and specific recommendations by moving resolutions. While admitting that we non-official members have had our limitations in the period when we were associated with the Government, I may say that the Council has been slowly qualifying itself for a judicious exercise of these new powers without, on the one hand, seeming too eager to make a display of its powers and without, on the other hand, neglecting to place before the Government the more pressing wants of the people. The Council has mainly confined itself to the task of soliciting information on questions of public interest ; and by so doing has tried to assist in spreading a knowledge of facts among the people and removing doubts and difficulties which had arisen through lack of information. I hope and believe that interpellation has not in any sense been everdone. I think I am voicing the opinion of this Council when I say that the replies vouchsafed by the Government have been, as a rule, full, informing and sympathetic, and have generally been a model for this Council, and possibly for others as well, fulfilling the real object of interpellation, namely, 'removal of dissatisfaction due to misconception,' the existence of which Your Honour had deplored at the opening meeting of this Council three years ago. From the popular point of view I may be permitted to observe the effect has not been fully satisfactory; but it might be trusted that the Government would be pleased to look more closely into the matters complained against so as to remove the cause of complaint.

"As regards the Budget discussion I believe I am giving expression to the sense of this Council when I say that the non-official members are deeply thankful to Your Honour for the considerate treatment accorded to them. In the first year, a sum of about 3 lakhs of rupees was all that was left under the unallotted head of expenditure. This sum was placed before the Finance Committee to suggest how it should be appropriated among the great spending departments. When I pointed out the futility of this arrangement and appealed for wider powers to be given to the Finance Committee, you, Sir, gave the assurance that the Government had no desire to restrict the operation of the Finance Committee and would interpret as strictly as possible the rule placing limitations upon the powers of that Committee. In conformity with the assurance given in 1910 both as regards the supply of necessary information under minor heads and as regards the provision of a sufficiently large sum under unallotted head, the Government has been steadily progressive, and as a result we have now a more informing financial statement and a sum of rupees 45 lakhs under the unallotted head. Further progress in this direction is possible, as the sum of 45 lakhs is a small fraction of the total provincial expenditure of Rs. 450 lakhs. The usefulness of the Council depends on the effectiveness of the control it exercises on the finances of the province. It was not a non-official member of the Council but Your Honour who gave expression to a hope of a more extensive financial decentralization when the Imperial Government realized that the tax-payers would have a large voice in the disposal of the revenues raised. Financial decentralization has been going on during the last 18 months on the lines suggested by the Royal Commission ; and the Provincial Government now enjoys greater and more uncontrolled powers of expenditure than before. I am hopeful that with the advance of the financial decentralization, the Government will

[*Mr. Shadi Lal.*]

be pleased to utilize to a larger extent the services of the Finance Committee by consulting it throughout the year and by placing before it financial schemes which at the time of the preparation of the financial statement are deemed to be of an 'absolutely obligatory character.'

"The legislative duties of this Council have covered a fairly wide area. We have had altogether eighteen meetings of the Council, and including the three Bills discussed to-day, altogether fifteen Bills have been introduced and, with the single exception of the Criminal Panchayat Bill which was withdrawn last summer, all of them have been placed on the Statute Book. Of course, it has not always been the case that there has been a perfect unanimity of opinion between the Government and the non-official members and that every measure proposed by the Government has met with general approval. I have noticed a great deal of difference of opinion even amongst the officials as regards the Bills which have come before the Council, and I, for one, would be sorry if we all refrain from giving expression to honest differences of opinion in order to make this Council a happy family party. No sensible person would suggest for a moment that the non-official members should constitute themselves into a standing opposition to the Government or bring forward measures to put difficulties in its way. But it is the duty of the non-official members to represent the grievances of the people, suggest means of redressing them and press for reform in administration. This is necessary as much to popularise the measures of the Government as to liberalise official views so as to accord with the wishes of the people. The non-official members of this Council have tried, in the words of Your Honour, to 'serve as a medium for conveying to the Government a truer idea of what the wishes and feelings of the people really are and to the people a fuller and clearer insight as to the objects and reasons of the policy and measures of Government.' If we are judged by this test I hope we would not be found wanting. The non-official members have always tried to place their views before the Government with moderation and after due consideration; and the first Reformed Council has every reason to congratulate itself on its harmonious working during the 3 years of its existence. I hope I would not be misunderstood if I may, with your permission, make one or two suggestions for your consideration. Your Honour has twice invited the co-operation of the non-official members by referring draft Bills to a mixed committee before allowing their introduction in the Council. May I plead for a more extended use of this procedure so that the proposals for legislation might be freely discussed at informal meetings before publication. I believe this system is in vogue in the United Provinces, and has given great satisfaction both to Government and to non-official members. Its adoption in this Province will be very much appreciated and produce beneficial results.

"Similarly one or more committees of this Council might be constituted and associated with the Government to examine educational, sanitary and other proposals which affect the people intimately. The members of the committee would, in such cases, have an opportunity of placing before the Government the wants and wishes of the people, and the Government would be in a better position to judge the feasibility of popular suggestions.

"I am afraid I have detained the Council too long, but before I sit down I should like to thank you, Sir, once more for the tact and the ability with which you have guided the deliberations of this Council and congratulate you on its success which is, to a very large extent, due to you. I must not forget to express at the same time my gratitude to my official colleagues for the friendly spirit in which they have taken our criticisms and the care and labour which they have bestowed in collecting facts and figures for our information, and specially to the Hon'ble Mr. Godley, the able head of the Education Department, who might not have liked all the questions I have put to him from time to time.

[*Rai Bahadur Sultan Singh ; Nawab Sir Bahram Khan.*]

The Hon'ble Rai Bahadur SULTAN SINGH said :—" As this is the last sitting of this Council and the last occasion on which a citizen of Delhi will be able to speak as member of it, I trust I may be pardoned if I take up a small portion of the Council's time in bidding farewell to the Punjab Government both on behalf of the city of Delhi and myself.

" While we recognise to the full the honour that has been conferred on us by restoring to our city its ancient position as capital of India, we should be indeed lacking in gratitude and loyalty to our old Province if we did not as fully acknowledge the benefits which have accrued in the past owing to our intimate relation with the Punjab.

" At one time in the past it appeared as though we should suffer loss owing to our secondary position in the province. But I would wish to say emphatically that in recent years and especially during Your Honour's Governorship, we have not felt this to be the case. Each year of your administration you have stayed for some time among us and met us and got to know us, and you have also been the prime-mover in one of the most needed sanitary reforms in connection with our city, *viz.*, the clearing of the Bela. You have also taken the greatest possible interest in our educational and municipal affairs. I would assure Your Honour that we are deeply grateful for these kindnesses which you have so lavishly bestowed upon us, and the remembrance of them makes our feelings of rejoicing at the honour conferred on us by the recent changes, mingled with sorrow and regret at our separation from our old province. The citizens of Delhi can never now forget their old ties with the Punjab. The links that have been forged binding us to this province can never be broken.

" In many ways, officially and unofficially, we shall be still, for a long time to come, intimately connected with our old province and its Government. Commercially, at any rate, there is every prospect of our coming into even closer contact than before with the Punjab owing to the greater importance which will attach during the coming years to our city itself and the increasing prominence as the greatest railway centre in all India.

" I should like also to say personally that I feel most deeply conscious of the privilege which I have enjoyed, in being a member of this Council during the past three years, and the interest in administration which it has given me. To be able to go through the finances of the province, to have them explained and to be able to pass criticisms and ask questions upon them, is an education in itself to a layman such as I am. It is true that my colleagues, with large legal experience, are better able to discharge their duties as legislators, but I feel that there is also a place for those who possess only a general experience of affairs and are anxious to help in creating a better understanding between the people and the Government. The mere association in such work of Government removes many misapprehensions from the mind, and makes a layman more able to appreciate the difficulties which our rulers have to meet. At the same time, the opportunity is also freely given to us of stating our opinion clearly when the same is contrary to that which is held by the Government. All this makes our interest in Government stronger and our knowledge of Government affairs more accurate, and this is a happy result which this first Reformed Council in the Punjab has brought about, and I offer my hearty congratulations to Your Honour on this achievement.

" With these few words, Your Honour, I take leave of this Council and of our old province of the Punjab."

The Hon'ble Nawab Sir BAHRAM KHAN spoke in Urdu, a translation of

[*Nawab Sir Bahram Khan ; The President.*]

which is as follows :—

"Your Honour, this is the last meeting of the Council established under the Reform Scheme of 1910. Though it would be useless for me to explain what the Council has done during the last three years, yet I think it necessary to give my views in regard to it. It will have to be admitted that the laws that have been passed, and whatever else has been done by the reformed Council under Your Honour's presidency, has given no cause of complaint or objection to either the public or the Government. For all this thanks are due to Your Honour for your statesmanlike policy and to the members of the Council for their good faith and wise counsels. Though I know that if I should like to say anything just now in regard to Dera Ghazi Khan it would be out of place and premature, yet in view of the fact that this is the last meeting of the Council I respectfully beg to submit as follows. The blow sustained by Dera Ghazi Khan is distressful. Your Honour has very sympathetically given your consideration to the construction of the new town, and has specially deputed an European officer for this purpose. There is no doubt that the local officers have also worked very sympathetically and assiduously on this work. It would have been known to you from the reports of the local officers and the doctors that the new city suffered a great loss on account of cholera in the months of September and October owing to not getting pure water. In spite of all these blows the town has been and is being populated with great perseverance. Thanks are due to Your Honour for the arrangements which you have made for the *nals* (tube wells). Dera Ghazi Khan, whose foundation has been laid by you, still stands in need of your royal generosity. Owing to small incomes of the district board and the municipality and owing to the trade being on a small scale, there is not sufficient money available to prepare roads and to plant trees, and until a branch of the *Nala Manka* is brought to the western part of the city as desired by Your Honour, and becomes a permanent canal, there is little hope of the city flourishing. It is true that owing to its size Dera Ghazi Khan has been the trading centre of Baluchistan and its neighbouring tahsils, but the blows inflicted by the river have tended to sever its trade connections with all. The new city is situated at a distance of 18 miles from railway. If through Your Honour's consideration and help a narrow gauge railway be constructed from the western bank of the river to Sakhi Sarwar or to the new Dera Ghazi Khan, for which roads, etc., are ready, and which do not stand in need of heavy expenses, there can be every hope of reviving the prosperity and trade of Dera Ghazi Khan. I need not encroach upon your time any more."

His Honour the PRESIDENT :—" I did not expect to reply to so many matters at this last meeting. I can only say that I am very much obliged to the Hon'ble Members for the very kind way in which they have spoken about my services I may have been able to render to the Council. I felt in 1897 that the establishment of a Council in the Punjab would meet a very real want. At that time I was almost alone in advocating the establishment of the Council. Also when the question of a reformed Council was brought on the tapis, I felt again that the time had arrived at which we might make a step in advance and admit a considerable elected element to our deliberations. I am very glad that my anticipations in both of these matters have been more than realised. The Legislative Council of the Punjab has always shown that sound common-sense which I am glad to think distinguishes the people of this Province ; and it has also been specially distinguished by a very obvious desire to co-operate with Government in all measures adapted for the good of the Province. At the same time we have not all been a happy family party which is the very last thing we should have in this Council. As Hon'ble Members have pointed out, our debates have been keen, and a great diversity of opinion on many measures brought forward has been evidenced. That is as it should be in a debating assembly, and unless measures were debated in that spirit, it would be useless to have any meetings at all. I can only thank Hon'ble Members for the very great and real assistance that they have given to

[*The President.*]

the Government in carrying on its work, both in regard to legislation and also in regard to the financial administration of the Province.

"It is perfectly true that, as regards legislation, we have now passed 14 Acts and the 15th is before Council. These Acts include some most important measures, such as The Municipal Act, The Colonies Act, The Civil Panchayats Act and The Law to Amend Civil Appeal in this Province. N.. every one of these measures might have given rise to very considerable agitation if they had been carried without proper discussion and consideration in this Council. One of them was unfortunately the subject of misconception and agitation, and had to be withdrawn in the last Council. The result, I think, of our deliberations and debates here has been that the people have been thoroughly well informed of the nature of the measures proposed and the way in which they were to be enforced. The consequence has been that measures passed by us I believe honestly have been well accepted by the public, and I trust that in the future that is the way in which the debates in this Council will always be conducted. On the part of Government we have done all that we possibly can to place the very fullest information before Hon'ble Members on all matters that came forward, and I am glad to think that Hon'ble Members hitherto fully responded to our attempts to inform them fully in regard to matters that they had to deal with, and the spirit with which they have approached those matters has been altogether admirable.

"With regard to budget matters I quite agree that at first the Finance Committee of the Council had very little to do. That was perhaps in part due to the nature of the orders under which we were working at the time. It was really more due to the fact that there were very small unappropriated balances with which they could deal, or with which the Government could deal. I am very glad to think that, thanks to energetic representations in suitable quarters, for which we are very grateful to the Hon'ble Mr. FENTON, and also to energetic measures taken in the Punjab itself, to recover outstanding revenue, the financial position of the province is very different from what it was four years ago. I shall have another opportunity no doubt of dealing with that during the budget debate next year. At present I can only say that I think Hon'ble Members will find that year after year there will be a much larger amount of money placed at the disposal of the Finance Committee, and that Government will always be only too ready to receive their suggestions and advice as to the best means of spending that money.

"I think the suggestion made by the Hon'ble Mr. SHADI LAL for appointing a sub-committee to deal with questions of sanitation, education and matters of that kind has a great deal to recommend it, and I can only say that I will most carefully consider it.

"As regards the other matter, I am very glad indeed to think that the measure, which on one or two occasions I have already adopted in referring a somewhat contentious legislative proposal to a committee before it was taken into Council, was approved, and I quite agree with the Hon'ble Mr. SHADI LAL in thinking that that is a procedure which might very usefully be resorted to in future. It saves a great deal of trouble, and it also enables everybody to say in an informal way exactly what they think about what is proposed. At the same time, we must not do too much of that, or our debates in Council will become mere matters of form and intensely uninteresting.

"The Hon'ble Nawab has referred to the deplorable condition of Dera Ghazi Khan. I can only again assure him that we all sympathise fully with the sufferings of the people of that distressful city. It is extremely annoying that things will not always go as we should like them to go. I understand that the river Indus, having this August carried away a very large portion of the civil station in addition to the old city, has now altered its

[*The President.*]

course, and is flowing peacefully down the channel which we intended it to flow down three years ago, and a very large portion of the area which had been swept away has been replaced. However, it is too late now to contemplate the possibility of Dera Ghazi Khan flourishing on its old site, and I can assure the Hon'ble Member that I have done everything that was possible to make the new city a success. I recognised that Dera Ghazi Khan would never be a flourishing place unless arrangements were made, not only for drinking water, but also for irrigation supplies. It is very dry in the hot weather, and without irrigation nothing will grow there. I believe the arrangements I proposed to the irrigation officers will be successful so far as irrigation is concerned, and I am convinced that in a few years the new town will be a much better, healthier and pleasanter place to dwell in than the old town has been.

"There was a very regrettable outbreak of cholera this year. It was not altogether the fault of Government. There was water—in fact too much water. Water was running down the centre of the streets, and people insisted on drinking this water instead of going to the wells. A pumped supply will be supplied, and then there ought to be no complaint as to that, because the supply has been taken from those deep strainer tube wells from which there can be no possible contamination.

"It is a long way to travel, as the old saying is, from Dera Ghazi Khan to Delhi, but I am sure that all Hon'ble Members will agree with me in thanking the Hon'ble Member for Delhi city, the Hon'ble Mr. SULTAN SINGH, for the very kindly way in which he referred to the connection of Delhi with the Punjab. I can only say that the feelings of affection that exist apparently on the part of Delhi towards the Punjab are more than reciprocated by the Punjab for Delhi, and that our consolation is that, though we shall be separated formally, we shall still be very near neighbours, and I trust very good friends in the future. One great disadvantage of the present administrative arrangement is the fact that we are deprived of some of our most eminent commercial members by the fact that Delhi is no longer within the jurisdiction of the Punjab Legislative Council. I do not know whether it will be possible to get out of that difficulty. We still have the Hon'ble Mr. CURRIE, and I am very glad to be able to congratulate him as the first Hon'ble Member returned for the new Council. I commend to the Chamber this question for consideration as to how, though Delhi is not in the Punjab, the Chamber of Commerce will be able so to arrange matters that we may have the benefit of their assistance in our legislative debates. I do not think that is impossible, but it is a matter which surely requires the attention of the Chamber, as sometime we may find objection taken to the fact that the head office of the Chamber is in Delhi, and therefore that it does not properly represent the Punjab.

"I may mention to Hon'ble Members that it is rather interesting that we have had 18 meetings of this Council during the past three years, and that in the three previous years there were only three meetings of the Legislative Council; so it is pretty obvious that Government has been only too ready to take advantage of the advice of the Hon'ble Members as now constituted. The power of interpellation the Hon'ble Mr. Shadi Lal claims has been suitably exercised. I can only say that I can fully endorse his claim. The questions asked by Hon'ble Members have never been irrevelant, and have generally been useful as having interest for the public upon matters on which they ought to be informed, and I can only say that the Government most freely recognise that those questions saved a great deal of misapprehension and a great deal of trouble, as our whole object is that our measures should be thoroughly understood by the people with whom we have to deal.

[*The President.*]

"During the three years the Council was unfortunate enough to lose two Hon'ble Members by death, the Hon'ble Sardar Partap Singh and the Hon'ble Colonel Parsons. They were both most valuable Members of Council, and Sardar Partap Singh had been specially elected as the representative of the Punjab in the Imperial Council. The efficiency with which he discharged his duties there can be realised by the fact that the Viceroy announced, after the Coronation Darbar, that if the Sardar had survived, he would have been the recipient of a very high honour from His Majesty the King Emperor. The work of Colonel Parsons is well known to all. He was a man of pronounced views, who was not afraid of putting them forward, and everyone felt that, although they might not agree with him his views were honest, and were put forward in what he believed to be the true interests of the people.

"I might perhaps touch on the remarks made by outsiders who have not attended the meetings of this Council with as great frequency as we would like, that the present Council is not representative of anything, and that it would be much more representative if it had been formed and constituted in other ways. I do not think, speaking as an outsider in this matter, that we could have got more representative men than the President of the Hindu Sabha, the President of the Punjab Chiefs' Association, the Secretary of the All-India Moslem League, and the members elected by the municipalities who have been so useful to us in our discussions upon municipal matters. If gentlemen outside the Council can shew me more representative men in the Punjab than those which I have the honour of seeing before me at present, I should be very much surprised, and at the same time should be very much obliged to them, with reference to the nominations to be made for the next Council.

"I am very sorry indeed that at the elections, which have just taken place, there should have been a tendency again to fall back upon communal differences, and that a larger number of members did not stand for each electoral unit, so that people might have had an opportunity of voting, not merely for black or for white, but for a member who would best represent the interests of their constituency in the Council. I am afraid it will be some time before we arrive at that more happy condition. The same results, I am sorry to say, are seen even in many countries in the West; but I do hope that the Punjab will try to rise above these purely sectarian reasons. In this Council we want people of all classes and creeds, and as many elected members as possible; but it is perfectly obvious that if election is to proceed purely and simply on religious lines, it is very difficult indeed for Government to make wider the basis of that electoral representation which is desired by nobody more than Government itself.

"I thank you all, gentlemen, again for the very kindly reference you have made to myself, and still more for the very great and real assistance you have given to the Punjab Government for the last three years."

ADJOURNMENT.

The Council adjourned *sine die.*

LAHORE: } S. W. GRACEY,
The 14*th October* 1912. } *Secretary, Legislative Council.*

APPENDIX A.

I.

(Primary Education—Boys.)

Cultivated area (in square miles).	Present number of primary schools.	Proposed number of primary schools.	Resultant total of primary schools.	Average number of square miles of cultivated area which will be served by each school under resultant total.	Male population.	Percentage of boys at schools of all classes to male population.	Average number of boys to be accommodated in each of the newly established schools.	Resultant percentage of boys expected to be in attendance at schools of all classes to male population.	Present average annual cost* of: Maintaining a primary school.	Present average annual cost* of: Educating a pupil in a primary school.	Proposed average annual cost of: Maintaining a primary school	Proposed average annual cost of: Educating a pupil in a primary school.	Proposed total expenditure.	Proposed total increase.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
									Rs.	Rs. A. P.	Rs.	Rs. A. P.	Rs.	Rs.
42,549	3,217	2,783	6,000	7·09	10,992,067	2·7	35	3 6	254	5 2 0	250	7 2 0	16,69,006	8,50,000

*Only the recurring cost of schools is shown, *i.e.*, maintenance of staff, contingencies, repairs, etc.

II.

(Primary Education—Boys.)

Present number of: Teachers in primary schools.	Present number of: Trained teachers in primary schools.	Present number of: Persons under training for primary teachers.	Number of years in which at present rate of training and allowing for 5 per cent. casualties all existing schools will be fully staffed with trained teachers.	Present number of primary training schools.	Proposed number of primary training schools.	Proposed number of persons to be annually trained.	Number of years in which, as proposed, resultant total of primary schools will be fully staffed with trained teachers.	Proposed cost of a training school: Proposed average annual cost of each training school (excluding stipends).	Proposed cost of a training school: Proposed average annual stipend for each person under training.	Proposed cost of a training school: Proposed average annual cost of a training school (including stipends).	Proposed total cost.	Proposed total. increase.
1	2	3	4	5	6	7	8	9	10	11	12	13
								Rs.	Rs.	Rs.	Rs.	Rs.
5,374	2,655	369	12	5	8	640	12	7,100	96	15,000	1,20,000	52,506

III.

(Primary Education—Boys.)

Present number of			Proposed number of			Present		Proposed			
Primary schools.	Inspecting officers mainly employed among primary schools.	Primary schools per such inspecting officer.	Primary schools.	Inspecting officers mainly employed among primary schools.	Primary schools per such inspecting officer.	Average annual cost of such an inspecting officer, with establishment, touring charges and contingencies.	Average annual cost per school.	Average annual cost of such an inspecting officer, with establishment, touring charges and contingencies.	Average annual cost per school.	Proposed total expenditure.	Proposed total increase.
1	2	3	4	5	6	7	8	9	10	11	12
						Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
3,217	57	56	6,000	100	60	2,182	38	1,860	28	2,04,405	80,000

IV.

(Primary Education—Boys.)

—	Improvement and expansion of schools.	Training	Inspection.	Total.
1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
1. Present total expenditure	8,19,006	67,494	1,24,405	10,10,905
2. Proposed increase	8,50,000	52,506	80,000	9,82,506
3. Proposed total	16,69,006	1,20,000	2,04,405	19,93,411

APPENDIX V.

(Primary Education.—Boys).

Expenditure on primary education from	1909-10.		1910-11.		1911-12.		1912-13.				1913-14.			
					Estimated.		Increase.		Total.		Increase.		Total.	
	Capital.	Recurring.	Capital.	Recurring.	Capital.	Recurring.	Capital.	Recurring.	Capital.	Recurring.	Capital.	Recurring.	Capital.	Recurring.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Provincial funds	...	1,67,645	...	1,72,531	...	1,70,000	...	...	...	1,70,000	...	...	...	1,70,000
*Local funds	2,07,253	7,67,178	1,77,846	7,85,308	1,80,000	8,00,000	4,00,000	...	5,80,000	8,00,000	5,00,000	...	10,80,000	8,00,000
Private funds	4,990	49,002	2,908	53,036	...	50,000	...	...	...	50,000	...	...	...	50,000
Imperial funds	...	...	...	...	...	...	...	3,00,000	...	3,00,000	50,000	1,70,000	50,000	4,70,000
Total ...	2,12,243	9,83,825	1,80,754	10,10,905	1,80,000	10,20,000	4,00,000	3,00,000	5,80,000	13,20,000	5,50,000	1,70,000	11,30,000	14,90,000

Expenditure on primary education from	1914-15.				1915-16.				1916-17.			
	Increase.		Total.		Increase.		Total.		Increase.		Total.	
	Capital.	Recurring	Capital.	Recurring.	Capital.	Recurring.	Capital.	Recurring.	Capital.	Recurring.	Capital.	Recurring.
1	16	17	18	19	20	21	22	23	24	25	26	27
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Provincial funds	...	...	...	1,70,000		...	...	1,70,000	...	...	...	1,70,000
*Local funds	6,00,000	...	16,80,000	8,00,000	7,00,000	...	23,80,000	8,00,000	7,00,000	...	30,80,000	8,00,000
Private funds	...	...		50,000	...	...	...	50,000	...	...	...	50,000
Imperial funds	50,000	1,70,000	1,00,000	6,40,000	50,000	1,70,000	1,50,000	8,10,000		1,70,000	1,50,000	9,80,000
Total ...	6,50,000	1,70,000	17,80,000	16,60,000	7,50,000	1,70,000	25,80,000	18,30,000	7,00,000	1,70,000	32,30,000	20,00,000

*Local board and municipal.

APPENDIX B.

Result of Medical Inspection in the Secondary and Upper Primary Departments of the Government High School, Amritsar.

Name of Department.	Number examined.	Married.	Unmarried.	Nutrition.		Cleanliness.				Heart.		Lungs.		Teeth.		Eyes.		Tuberculosis.		Rickets.		Other diseases.
						Head.		Body.														
				Good.	Bad.	Good.	Bad.	Good.	Bad.	Normal.	Defective.	Normal.	Defective.	Good.	Dirty or bad.	Normal.	Defective.	Actual.	Doubtful.	Actual.	Doubtful.	
High Department ...	104%	32 31%	72 69%	84	20 19%	102	2 2%	103	1 1%	102	2 2%	101	3 3%	54	50 49%	48	56 54%	...	1 1%	1 1%	...	7 6%
Middle Department ...	207%	26 13%	181	138	69 33%	172	35 17%	176	36 17%	203	4 2%	199	8 4%	109	98 47%	138	69 33%	1 ·50%	...	...	...	5 2%
Upper Primary Department ...	180%	4 2%	176.	150	30 17%	163	17 9%	165	15 8%	180	...	180	...	144	66 36%	139	41 23%	...	...	...	1 ·5%	2
Grand total ...	491%	62 13%	429	373	118 24%	437	54 11%	439	62 11%	485	6 1%	480	11 2%	277	214 44%	325	166 33%	1 ·2%	1 ·2%	1 ·2%	1 ·2%	...

Three boys abnormally fat.

One boy enlarged spleen.

One boy a bony prominence in the chest.

One boy ear defective.

One boy spleen and liver enlarged.

One boy opacity in the eye.

E. SMITH,

Headmaster.

2nd December 1912.

APPENDIX C.

Statement showing the initial outlay to date on the buildings of the Punjab Agricultural College.

Year.	Name of Major Work.	Expenditure.	REMARKS.
		Rs. A. P.	
1906-07 ...	Constructing a residence for the Deputy Director of Agriculture.	14,341 15 2	Now used by the Professor of Agriculture.
	Constructing an Agricultural College and Chemistry Block.	98,607 5 5	
	Constructing servants' quarters with latrines and urinal for Agricultural College.	9,152 12 5	
	Constructing metalled road for Agricultural College.	14,060 8 2	
	Constructing boarding-house for Agricultural College.	26,688 10 7	
1907-08 ...	Agricultural College buildings and Chemistry Block.	1,02,919 6 4	
	Constructing metalled road for Agricultural College.	2,257 11 2	
	Water-supply for Agricultural College, Lyallpur	9,842 1 6	
	Construction of a residence for the Chemist of the Agricultural College.	10,341 8 7	
	Constructing residence for the Principal, Punjab Agricultural College.	11,754 4 2	
1908-09 ...	Constructing an Agricultural College and Chemistry Block.	32,382 7 2	
	Providing fixture for Chemistry Block ...	13,534 0 8	
1909-10 ...	Constructing the Agricultural College and Chemistry Block, Lyallpur.	9,985 6 5	
	Providing fixture to Chemistry Block, Lyallpur	2,589 8 6	
	Constructing fixtures main block, Agricultural College.	17,881 13 4	
	Constructing a residence for the Chemist at Lyallpur.	3,197 6 4	
	Laboratory drainage, Agricultural College, Lyallpur.	6,330 11 5	
	Providing oil gas plant for Agricultural College	27,892 13 10	
	Providing and erecting an ice-making plant at Lyallpur.	2,497 10 6	
1910-11 ...	Constructing a workshop for the Agricultural College, Lyallpur.	15,813 7 0	
	Providing electric energy for the Agricultural College, Lyallpur.	20,250 10 6	
	Extension of the boarding-house of the Punjab Agricultural College.	2,872 2 0	

Statement showing initial outlay to date on the buildings of the Punjab Agricultural College, Lyallpur.

Year.	Description of Work.	Expenditure.	REMARKS.
	Major Works.	Rs. A. P.	
1911-12	Constructing workshop, Punjab Agricultural College, Lyallpur	13 7 9	
	Constructing Agricultural College and Chemistry Block at Lyallpur	129 8 6	
	Addition to boarding-house attached to Punjab Agricultural College	13,675 12 10	
	Providing electric energy, Punjab Agricultural College, Lyallpur	9,206 13 11	
1905-06	*Minor Works.*	1,816 2 9	
1906-07		5,160 9 8	
1907-08		3,976 6 9	
1908-09		12,317 2 3	
1909-10		17,174 12 3	
1910-11		11,650 6 6	
1911-12		3,253 9 7	
	BUILDINGS,—GRAND TOTAL	5,33,569 1 11	

Statement showing the cost of the tutorial staff and up-keep of the Punjab Agricultural College during 1909-10, 1910-11 and 1911-12.

Year.	Strength of tutorial staff, *European*.	Cost of the tutorial staff, *European*.	Strength of tutorial staff, *Indian*.	Cost of the tutorial staff, *Indian*.	* Cost of up-keep including all other expenditure except buildings.	†Total on both research and teaching.	Total number of students in the College.	Average cost per student per annum.	Fees paid by students.
		Rs.		Rs.	Rs.			Rs.	Rs.
1909-10	3	‡27,223	Five Assistant Professors. Six Laboratory Assistants.	‡7,411	62,586	97,220	16	6,076	764
1910-11	3	†26,138	Five Assistant Professors. Six Laboratory Assistants. One Boarding-House Superintendent. Allowance to 1.	†10,669	51,534	88,341	35	2,524	2,474
1911-12	3	†28,205	Five Assistant Professors. Twelve Teaching and Research Assistants, Demonstrators and lecture table Assistant.	†11,767	52,389	98,083	56	1,751	8,083
Total ...	...	†81,566	...	†29,847	1,66,509	2,77,919			

* These figures represent expenditure of contingencies, office establishment, menials, &c.
† The figures on teaching given in the Director of Public Instruction's reports are Rs. 37,179 for 1909-10 and Rs. 20,145 for 1910-11. The figures for 1911-12 not received yet.
‡ The whole pay has been shown, but the staff has exterior duties besides educational.

[*Sardar Sundar Singh.*]

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab, assembled for the purposes of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 to 1909.

THE Council met in accordance with the notification of the Lieutenant-Governor of the Punjab, Home—Legislative, No. 92, dated 23rd December 1912, in the Council Chamber at Government House, Lahore, on Monday, the 4th January 1913, at 11 A.M.

After His Honour the Lieutenant-Governor had taken his seat as President of the Council the following gentlemen elected and nominated as Members of the Council were duly sworn in as required by Regulation VII :—

The Hon'ble Sardar Sundar Singh, Majithia, Sardar Bahadur.

The Hon'ble Mr. John Cornwallis Godley.

The Hon'ble Sardar Daljit Singh of Kapurthala.

The Hon'ble Mr. Claud Alexander Barron, C.S.I., I.C.S.

The Hon'ble Mr. Alexander Henderson Diack, M.V.O., I.C.S.

The Hon'ble Mr. Michael William Fenton, C.S.I., I.C.S.

The Hon'ble Nawab Sir Bahram Khan, K.C.I.E.

The Hon'ble Babu Gajjan Singh.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal.

The Hon'ble Khan Bahadur Khwaja Yusaf Shah.

The Hon'ble Rai Bahadur Ram Saran Das.

The Hon'ble Sir Henry Parsall Burt, K.C.I.E.

The Hon'ble Rai Bahadur Hari Chand.

The Hon'ble Mr. James Currie.

The Hon'ble Lala Kashi Ram.

The Hon'ble Khan Bahadur Mian Muhammad Shafi.

The Hon'ble Mr. Patrick James Fagan, I.C.S.

The Hon'ble Nawab Ibrahim Ali Khan of Kunjpura.

The Hon'ble Rai Bahadur Shadi Lal.

The Hon'ble Sir Arthur Milford Ker, K.C.I.E., M.V.O.

The Hon'ble Mr. Henry Phillips Tollinton, I.C.S.

The Hon'ble Malik Muhammad Amin Khan of Shamsabad.

The Hon'ble Mr. Reginald Arthur Mant, I.C.S.

The Hon'ble Mr. Stephen William Gracey, I.C.S.

The Hon'ble Sardar SUNDAR SINGH said :—" Your Honour,—I am sanguine I am voicing the feelings not only of my Hon'ble colleagues in this Council Chamber, but of the loyal subjects of His Imperial Majesty the King Emperor in the whole of India, and particularly of the community to which I belong, when I say a few words expressive of our deep abhorrence and contempt at the dastardly attempt made by some miscreant upon the life of His Excellency Lord Hardinge, the exalted representative of our beloved

[*Sardar Sundar Singh; Mr. Muhammad Shafi; The President.*]

King Emperor in India. This cowardly attempt of the assassin has not only wounded the loyal sentiments of the people of India, but is against our traditional and inherent loyalty to the Crown. I may be permitted to say that in His Excellency Lord Hardinge we have a Viceroy whose sympathy for the people over whom he has been placed to govern is well known. Where is the man in the whole of the length and breadth of India who was not deeply moved at the noble words of His Excellency when the Viceroy said that this attempt upon his life has not affected his policy at all? The magnanimity of the heart of His Excellency could be judged when we consider that the occasion was of deep pain and anguish, and even at that time His Excellency was thinking of us. We all feel proud of such a Governor-General, and the general feelings of sympathy with Their Excellencies and of abhorrence at the mean and dastardly attempt upon Their Excellencies' lives are not only spontaneous but genuine. They come from the innermost recesses of our hearts, and every hamlet, be that of a Sikh, Muhammadan or a Hindu, has been the scene of deep and solemn prayer before the Almighty of thankfulness at the providential escape of Their Excellencies and for the speedy recovery of the Viceroy, who by his kindness has endeared himself to Prince and peasant alike. Our eyes have been anxiously scanning the bulletins from Delhi, and we are glad to read the assuring and happy news of the progress that is being made in the speedy recovery of His Excellency. I respectfully request Your Honour to permit that in the Minutes of this meeting a record be made of the deep sense of abhorrence and contempt that we all feel at the dastardly attempt and our joy and thankfulness at the providential escape of Their Excellencies from the mean and despicable attempt that was made by an enemy of the country upon Their Excellencies' lives."

The Hon'ble Mr. MUHAMMAD SHAFI.—"Your Honour,—It was my intention to move the following resolution in the meeting of the non-official members of this Council which is to follow after the proceedings which have just been concluded, but as my Hon'ble friend Sardar SUNDAR SINGH has brought up this subject now in the meeting of the full Council I crave permission from Your Honour to move a resolution on this subject in this meeting instead of at the meeting of the non-official members."

His Honour the PRESIDENT.—"I have great pleasure in accepting your proposal, and therefore allow you to move the resolution in the full Council."

The Hon'ble Mr. MUHAMMAD SHAFI.—"I am very much obliged to your Honour for the kind permission.

"I must alter the wording of the resolution in order to make it suitable for the present meeting. It runs as follows:—

"This meeting of the Punjab Legislative Council, representing the various official and non-official interests in this province, places on record its deep sense of indignation and abhorrence at the dastardly outrage committed by some despicable miscreant during the State Entry into Delhi of Their Excellencies the Viceroy and Lady Hardinge on the 23rd December 1912; expresses its feeling of thankfulness for Their Excellencies' providential escape, and prays for His Excellency's speedy restoration to full vigour and complete health."

"Your Honour,—It is hardly necessary for me to add anything to what my Hon'ble friend Sardar SUNDAR SINGH has already said in the speech which he has delivered just now. The indignation and abhorrence which have been expressed by the representative associations and meetings all over India from the Himalayan range to Cape Comorin and from Peshawar to Eastern Bengal speak volumes in support of the fact that the entire population of India

[*Mr. Muhammad Shafi ; Mr. Shadi Lal ; Lala Kashi Ram ; Babu Gajjan Singh.*]

has condemned in the strongest terms possible this despicable act of the miscreant who made this contemptible attempt upon the lives of Their Excellencies during their progress from the Railway Station to the Fort of Delhi. I am sure that every Member of this Council will agree with me that the hearts of all subjects of His Majesty the King Emperor belonging to all communities, European and Indian, are filled with thankfulness at Their Excellencies' providential escape. I am also sure that all will join with me in the sincere prayer that His Excellency may soon recover his full strength and complete health. The attempt upon the lives of Their Excellencies made by this anarchist, whoever he may be, is one which has been condemned in the strongest terms and rightly condemned by all sections of His Majesty's Indian subjects, and I do not think it is necessary for me on this occasion to add anything more than what has been said by the representatives of all sections of His Majesty's subjects in India. I therefore ask permission to move this resolution."

The Hon'ble Mr. SHADI LAL :—"Your Honour,—With Your Honour's permission I second this resolution. In seconding this resolution I beg to add that Your Honour may be pleased to convey to His Excellency our sympathy with him, and abhorrence and indignation at the dastardly attempt made upon his life. I think in a matter of this kind not only non-official members but official members should join with us in conveying our sense of indignation at the dastardly attempt which has been made. The one happy feature of this deplorable affair is that His Excellency had a very providential escape for which we are most thankful to God. We pray that Almighty God may be pleased to restore His Excellency to his health and grant him speedy recovery. But I think our duty does not end in the passing of the resolution or in the seconding of a resolution. It is the duty of every subject of His Majesty to do his level best to find out and give information to the authorities which might lead to the detection of the culprit. I would therefore suggest that vigilance committees should be formed to find out the real culprit. Of course in a matter of this kind we could never be too cautious in supporting certain theories. The starting of rash theories perhaps will be increasing the task of those who are engaged in finding out the real culprits. It is our duty to find out the true facts and place them at the disposal of the authorities. I think by that means we will be doing our duty. I hope all the Hon'ble Members will join with me in this. With these remarks I beg to second the resolution."

The Hon'ble Lala KASHI RAM :—"I would join in the general chorus of indignation and abhorrence which have been generally expressed throughout the country. As a Hindu and as an Arya Samajist I beg to express my deepest and sincerest sympathy with Their Excellencies on the most dastardly attempt that has been made on their persons. I wish to assure Your Honour of the deepest sympathy of the Hindus in general and the Arya Samajists in particular on this most dastardly attempt. The administration of His Excellency the Viceroy was so popular that none but a confirmed criminal and a lunatic would dare to think of committing this most dark deed. No more words of abhorrence or deepest sympathy are needed, and I respectfully join in seconding the resolution and the sympathy that has been expressed by the various Hon'ble Members, and I also join in the prayer to the Almighty soon to restore His Excellency to health to enable him to continue the good administration which he was carrying on. And I would thank Your Honour for the very liberal spirit in which the Government of this province has been carried on. I hope nothing would mar Your Honour's administration for which Your Honour would earn the thanks of all sections of His Majesty's subjects."

The Hon'ble Babu GAJJAN SINGH : "With Your Honour's permission I beg to occupy the most valuable time of this Council for a minute. As has been shown by the Hon'ble Sardar SUNDAR SINGH, the feeling of abhorrence and indignation has been expressed throughout the country. The meetings

[*Babu Gajjan Singh; Sardar Daljit Singh; Rai Bahadur Ram Saran Das; The President.*]

which the various communities have held all over the country almost in every town and every village bear ample testimony to the indignation and contempt with which this dastardly attempt on the life of His Excellency has been viewed by the general people of this country. It is, I think, a resolution which hardly requires very many speeches and arguments in support of it. With these remarks I beg to support the resolution which has been brought forward."

The Hon'ble Sardar DALJIT SINGH of Kapurthala:—"Your Honour,—I think I need hardly repeat here the feelings of horror and regret expressed by the peoples of this Province along with all His Majesty's Indian subjects at the most despicable attempt made upon the lives of Their Excellencies on the 23rd December last. I believe I represent the feelings of all my Indian colleagues here in this Council Chamber and of all my countrymen in the length and breadth of this vast continent, when I say that according to the tenets of our various religions the very idea of attempting the life of the representative of the Sovereign is the most despicable, and that the curse of God remains on the head of the wretch who perpetrates the black deed.

"All communities have deeply felt the outrage, but the feelings of the Chiefs and Nobility, who alike in peace and war are known for their active and profound loyalty to the Throne, have been deeply moved by this abominable misdeed of the miscreant, and our most earnest prayer is that the culprit may soon be found out to receive a condign punishment.

"We are thankful to God Almighty for extending His merciful hand in saving the lives of our most kind-hearted and noble Viceroy and Lady Hardinge, who have always had our welfare at heart, and we rejoice at the news that His Excellency is making speedy progress towards recovery.

"I support my Hon'ble friend in wishing that the sense of our abhorrence and condemnation be placed on record as well as the sense of joy and thankfulness that we all feel at the providential escape of Their Excellencies."

The Hon'ble Rai Bahadur RAM SARAN DAS:—"I beg to express the horror and indignation of the entire orthodox Hindu community (who are loyal to the core), at this dastardly attempt made upon the lives of Their Excellencies. With these words I beg to support the resolution moved in this Council."

His Honour the PRESIDENT:—"In the first place I should like to take this opportunity of welcoming all the Hon'ble members of this Council to the scene of their labours for the next three years. I am certain those labours will be very successful, and not less so than those of the members of the expired Council. It is a matter of satisfaction that the last proceedings of the outgoing Council and the first proceedings of the new one will ever be linked together by the tie of loyalty and sympathy. At Delhi, shortly after this outrage which the members of the Council have eloquently deplored, the members of the old Council met together, and sent a message of abhorrence of the crime and of sympathy with the sufferers. It is quite fitting that the first act of the new Council should be to pass a formal resolution of a similar character. I do not know that I can add anything to what has been so admirably and adequately said by the nominated and elected members of this Council. I am pleased to think that I was the first person to be able to give public expression to the sentiment that I felt sure would be joined in by the whole loyal community in the few remarks I was able to make at the ceremony at Delhi. I agree with the Hon'ble Mr. Shadi Lal that all loyal subjects of His Majesty—and I am sure that practically the whole of India is loyal—should make it their first duty to co-operate with those charged with the discovery of the offenders, and to bring the crime home to the real culprits. I do not think much more is required in the way of subscriptions of money—the danger of large subscriptions and rewards is that false cases

[*The President.*]

are made up, and thereby attention is distracted from what may prove to be true clues. But there is no doubt whatever that in Indian society as at present constituted information on such matters does spread in ways that one need not particularise, and that people do get a very good idea as to who are the persons responsible for any particular crime. It seems to me impossible to believe that the outrage on the Viceroy could have been the work of an isolated offender—in fact I have some reason to believe that the compositio of the bomb, so far as it has been traced, closely corresponds with bombs used in other parts of India not so very long ago. That indicates that it was probably not a bomb of local construction. Therefore I would again repeat that I hope every loyal subject of His Majesty, who has reason to believe that he has some information, based on sufficient grounds for thinking that a certain person was the offender, will convey that information through the proper channel to the persons who are engaged in the unravelling of this crime. If this is done I have every reason to hope that, in the fullness of time, justice may be accomplished, and this blot upon the fair name of Delhi and of India will be wiped out. The best way in which this could be accomplished would be that no such outrage should occur in the future.

"Lord Hardinge is the last man upon whom such an outrage should have been attempted, and the general feeling of abhorrence that has been expressed may possibly have an effect upon the devisers of these abominable crimes by showing that their vile acts are not likely even to further the ends they have in view.

"I now propose that the resolution of abhorrence and sympathy be passed unanimously by the Council all standing."

The resolution was put and passed by the Council standing.

ADJOURNMENT.

His Honour the PRESIDENT :—"This concludes the business of the full Council this morning. We now leave the non-official members to elect a member to the Viceroy's Legislative Council, and upon this subject I would remind them again that this selection is not limited to the members of this Council, but it is open to them to elect any resident of the Punjab. Also they will have to appoint three members to the Finance Committee.

I adjourn the Council *sine die.*"

LAHORE : } S. W. GRACEY,

The 4th January 1913. } *Secretary to the Council.*

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PART V.

Acts of the Lieutenant-Governor of the Punjab in Council which have received the assent of His Excellency the Viceroy and Governor-General.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

THE following Act of the Lieutenant-Governor of the Punjab in Council received the assent of His Honour the Lieutenant-Governor on the 8th February 1913 and that of His Excellency the Viceroy and Governor-General on the 1st March 1913 and is hereby published for general information :—

PUNJAB ACT No. I OF 1913.

The Punjab Pre-emption Act.

WHEREAS it is expedient to amend the law relating to pre-emption in the Punjab ;

It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

Short title and local extent.

1. *(1)* This Act may be called the Punjab Pre-emption Act, 1913.

(2) It extends to the Punjab.

Repeal of certain enactments.

2. *(1)* The Punjab Pre-emption Act, 1905, is hereby repealed.

(2) Nothing in this Act shall affect the provisions of Order 21, rule 88, of the Code of Civil Procedure, 1908, or sections 53 and 54 of the Punjab Tenancy Act, 1887.

(3) Notwithstanding anything to the contrary in section 4 of the Punjab General Clauses Act, 1898, the Courts shall in all suits, appeals and proceedings pending at the commencement of this Act give effect, so far as may be, to the procedure prescribed by this Act.

Definitions.

3. In this Act, unless a different intention appears from the subject or context,—

(1) 'agricultural land' shall mean land as defined in the Punjab Alienation of Land Act, 1900 (as amended by Act I of 1907), but shall not include the rights of a mortgagee, whether usufructuary or not, in such land ;

(2) 'village immoveable property' shall mean immoveable property within the limits of a village other than agricultural land ;

(3) 'urban immoveable property' shall mean immoveable property within the limits of a town, other than agricultural land. For the purposes of this Act a specified place shall be deemed to be a town (*a*) if so declared by the Local Government by notification in the official Gazette, or (*b*) if so found by the Courts ;

(4) 'member of an agricultural tribe' and 'group of agricultural tribes' shall have the meanings assigned to them respectively under the Punjab Alienation of Land Act, 1900. India Act XIII of 1900.

(5) sale shall not include—

(*a*) a sale in execution of a decree for money or of an order of a Civil, Criminal or Revenue Court or of a Revenue Officer,

(*b*) the creation of an occupancy tenancy by a landlord, whether for consideration or otherwise;

(6) any expression which is defined by section 3 of the Punjab Land Revenue Act, 1887, shall, subject to the provisions of this Act, have the meaning assigned to it in the said section. India Act XVII of 1887.

CHAPTER II.

GENERAL PROVISIONS.

Right of pre-emption: application of.

4. The right of pre-emption shall mean the right of a person to acquire agricultural land or village immoveable property or urban immoveable property in preference to other persons, and it arises in respect of such land only in the case of sales and in respect of such property only in the case of sales or of foreclosures of the right to redeem such property.

Nothing in this section shall prevent a Court from holding that an alienation purporting to be other than a sale is in effect a sale.

No right of pre-emption in respect of certain buildings.

5. No right of pre-emption shall exist in respect of the sale of or the foreclosure of a right to redeem—

(*a*) a shop, serai or katra;

(*b*) a dharmsala, mosque or other similar building.

Exists in agricultural land and village immoveable property.

6. A right of pre-emption shall exist in respect of agricultural land and village immoveable property, but every such right shall be subject to all the provisions and limitations in this Act contained.

Exists under certain conditions in urban immoveable property.

7. Subject to the provisions of section 5, a right of pre-emption shall exist in respect of urban immoveable property in any town or sub-division of a town when a custom of pre-emption is proved to have been in existence in such town or sub-division at the time of the commencement of this Act, and not otherwise.

Local Government may exclude areas from pre-emption.

8. *(1)* Except as may otherwise be declared in the case of any agricultural land in a notification by the Local Government, no right of pre-emption shall exist within any cantonment.

(2) The Local Government may declare by notification that in any local area or with respect to any land or property or class of land or property or with respect to any sale or class of sales no right of pre-emption or only such limited right as the Local Government may specify shall exist.

Exclusion of pre-emption in respect of certain alienations.

9. Notwithstanding anything in this Act, a right of pre-emption shall not exist in respect of any sale made by or to the Government or by or to any local authority or to any company under the provisions of Part VII of the Land Acquisition Act, 1894, or in respect of any sale sanctioned by the Deputy Commissioner under section 3 (2) of the Punjab Alienation of Land Act, 1900. India Act I of 1894. India Act XIII of 1900.

Party to alienation cannot claim pre-emption.

10. In the case of a sale by joint-owners, no party to such sale shall be permitted to claim a right of pre-emption.

Sum deposited by pre-emptor not to be attached.

11. No sum deposited in or paid into Court by a pre-emptor under the provisions of this Act or of the Code of Civil Procedure shall, while it is in the custody of the Court, be liable to attachment in execution of a decree, or order of a Civil, Criminal or Revenue Court or of a Revenue Officer. India Act V of 1908.

CHAPTER III.

PERSONS IN WHOM THE RIGHT OF PRE-EMPTION VESTS.

The law determining the right of pre-emption.

12. In respect of all sales and foreclosures not completed before the commencement of this Act the right of pre-emption shall be determined by the provisions of this Act; but in respect of all sales and foreclosures completed before the commencement of this Act the right of pre-emption shall be determined by the law in force at the time of such completion.

Joint right of pre-emption how exercised.

13. Whenever according to the provisions of this Act a right of pre-emption vests in any class or group of persons, the right may be exercised by all the members of such class or group jointly, and, if not exercised by them all jointly, by any two or more of them jointly, and, if not exercised by any two or more of them jointly, by them severally.

Limit of exercise of right in respect of land sold by member of an agricultural tribe.

14. No person other than a person who was at the date of sale a member of an agricultural tribe in the same group of agricultural tribes as the vendor shall have a right of pre-emption in respect of agricultural land sold by a member of an agricultural tribe.

Person in whom right of pre-emption vests in respect of sale of agricultural land and village immoveable property.

15. Subject to the provisions of section 14 the right of pre-emption in respect of agricultural land and village immoveable property shall vest—

(*a*) where the sale is by a sole owner or occupancy tenant or, in the case of land or property jointly owned or held, is by all the co-sharers jointly, in the persons in order of succession, who but for such sale would be entitled, on the death of the vendor or vendors, to inherit the land or property sold :

(*b*) where the sale is of a share out of joint land or property, and is not made by all the co-sharers jointly,—

firstly, in the lineal descendants of the vendor in order of succession ;

secondly, in the co-sharers, if any, who are agnates, in order of succession ;

thirdly, in the persons, not included under *firstly* or *secondly* above, in order of succession, who but for such sale would be entitled, on the death of the vendor, to inherit the land or property sold ;

fourthly, in the co-sharers :

(*c*) if no person having a right of pre-emption under clause (*a*) or clause (*b*) seeks to exercise it,—

firstly, when the sale affects the superior or inferior proprietary right and the superior right is sold, in the inferior proprietors, and when the inferior right is sold, in the superior proprietors ;

secondly, in the owners of the *patti* or other sub-division of the estate within the limits of which such land or property is situate ;

thirdly, in the owners of the estate ;

fourthly, in the case of a sale of the proprietary right in such land or property, in the tenants (if any) having rights of occupancy in such land or property ;

fifthly, in any tenant having a right of occupancy in any agricultural land in the estate within the limits of which the land or property is situated.

Explanation.—In the case of sale by a female of land or property to which she has succeeded on a life tenure through her husband, son, brother or father, the word 'agnates' in this section shall mean the agnates of the person through whom she has so succeeded.

Person in whom right of pre-emption vests in urban immoveable property.

16. The right of pre-emption in respect of urban immoveable property shall vest,—

firstly, in the co-sharers in such property, if any ;

secondly, where the sale is of the site of the building or other structure, in the owners of such building or structure ;

thirdly, where the sale is of a property having a staircase common to other properties, in the owners of such properties ;

fourthly, where the sale is of property having a common entrance from the street with other properties, in the owners of such properties ;

fifthly, where the sale is of a servient property, in the owners of the dominant property, and *vice versâ ;*

sixthly, in the persons who own immoveable property contiguous to the property sold.

Exercise of right of pre-emption where several persons equally entitled.

17. Where several pre-emptors are found by the Court to be equally entitled to the right of pre-emption, the said right shall be exercised—

(*a*) if they claim as co-sharers, in proportion among themselves to the shares they already hold in the land or property ;

(*b*) if they claim as heirs, whether co-sharers or not, in proportion among themselves to the shares in which but for such sale they would inherit the land or property in the event of the vendor's decease without other heirs ;

(*c*) if they claim as owners of the estate or recognised sub-division thereof, in proportion among themselves to the shares which they would take if the land or property were common land in the estate or the sub-division, as the case may be ;

(*d*) if they claim as occupancy tenants, in proportion among themselves to the areas respectively held by them in occupancy right ;

(*e*) in any other case, by such pre-emptors in equal shares.

Provisions of sections 15 and 17 applicable to foreclosures *mutatis mutandis.*

18. In the case of a foreclosure of the right to redeem village immoveable property, the provisions of sections 15 and 17 and in the case of a foreclosure of the right to redeem urban immoveable property, the provisions of sections 16 and 17 shall be construed by

the Court with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court.

CHAPTER IV.

PROCEDURE.

Notice to pre-emptors.

19. When any person proposes to sell any agricultural land or village immoveable property or urban immoveable property or to foreclose the right to redeem any village immoveable property or urban immoveable property, in respect of which any persons have a right of pre-emption, he may give notice to all such persons of the price at which he is willing to sell such land or property or of the amount due in respect of the mortgage, as the case may be.

Such notice shall be given through any Court within the local limits of whose jurisdiction such land or property or any part thereof is situate, and shall be deemed sufficiently given if it be stuck up on the chaupal or other public place of the village, town or place in which the land or property is situate.

Notice by pre-emptor to vendor.

20. The right of pre-emption of any person shall be extinguished unless such person shall, within the period of three months from the date on which the notice under section 19 is duly given or within such further period, not exceeding one year from such date, as the Court may allow, present to the Court a notice for service on the vendor or mortgagee of his intention to enforce his right of pre-emption. Such notice shall state whether the pre-emptor accepts the price or amount due on the footing of the mortgage as correct or not, and if not, what sum he is willing to pay.

When the Court is satisfied that the said notice has been duly served on the vendor or mortgagee, the proceedings shall be filed.

Suit for pre-emption.

21. Any person entitled to a right of pre-emption may, when the sale or foreclosure has been completed, bring a suit to enforce that right.

Plaintiff may be called on to make deposit or to file security.

22. *(1)* In every suit for pre-emption the Court shall at, or at any time before, the settlement of issues require the plaintiff to deposit in Court such sum as does not, in the opinion of the Court, exceed one-fifth of the probable value of the land or property, or require the plaintiff to give security to the satisfaction of the Court for the payment, if required, of a sum not exceeding such probable value within such time as the Court may fix in such order.

(2) In any appeal the Appellate Court may at any time exercise the powers conferred on a Court under sub-section *(1)*.

(3) Every sum deposited or secured under sub-section *(1)* or *(2)* shall be available for the discharge of costs.

(4) If the plaintiff fails within the time fixed by the Court or within such further time as the Court may allow to make the deposit or furnish the security mentioned in sub-section *(1)* or *(2)*, his plaint shall be rejected or his appeal dismissed as the case may be.

(5) (*a*) If any sum so deposited is withdrawn by the plaintiff, the suit or appeal shall be dismissed.

(*b*) If any security so furnished for any cause becomes void or insufficient, the Court shall order the plaintiff to furnish fresh security or to increase the security as the case may be within a time to be fixed by the Court, and if the plaintiff fails to comply with such order, the suit or appeal shall be dismissed.

(6) The estimate of the probable value made for the purpose of sub-section *(1)* shall not affect any decision subsequently come to as to what is the market value of the land or property.

Special conditions relating to sales of agricultural land.

23. No decree shall be granted in a suit of pre-emption in respect of the sale of agricultural land until the plaintiff has satisfied the Court—

(*a*) that the sale in respect of which pre-emption is claimed is not in contravention of the Punjab Alienation of Land Act, 1900; and

(*b*) that he is not debarred by the provisions of section 14 of this Act from exercising the right of pre-emption.

Procedure on determination of the said issues.

24. In a suit for pre-emption in respect of a sale of agricultural land, if the Court finds that the sale is in contravention of the Punjab Alienation of Land Act, 1900, the Court shall dismiss the suit.

Fixing of price for purposes of suit in case of sales.

25. *(1)* If in the case of a sale the parties are not agreed as to the price at which the pre-emptor shall exercise his right of pre-emption, the Court shall determine whether the price at which the sale purports to have taken place has been fixed in good faith or paid, and if it finds that the price was not so fixed or paid, it shall fix as the price for the purposes of the suit the market value of the land or property.

(2) If the Court finds that the price was fixed in good faith or paid, it shall fix such price as the price for the purposes of the suit:

Provided that when the price at which the sale purports to have taken place represents entirely or mainly a debt greatly exceeding in amount the market value of the property, the Court shall fix the market value as the price of the land or property for the purposes of the suit, and may put the vendee to his option either to accept such value as the full equivalent of the consideration for the original sale or to have the said sale cancelled, and the vendor and vendee restored to their original position.

Fixing of price for purposes of suit in case of foreclosure.

26. If in case of a foreclosure the parties are not agreed as to the amount at which the pre-emptor shall exercise his right of pre-emption, the Court shall determine whether the amount claimed by the mortgagee is due under the terms of the mortgage, and whether it is claimed in good faith. If it finds that the amount is so due and is claimed in good faith, it shall fix such amount as the price for the purposes of the suit; but if it finds that the amount is not so due, or, though due, is not claimed in good faith, it shall fix as the price for the purposes of the suit the market value of the property.

"Market value" how to be determined.

27. For the purpose of determining the market value, the Court may consider the following among other matters as evidence of such value:—

(a) the price or value actually received or to be received by the vendor from the vendee or the amount really due on the footing of the mortgage, as the case may be;

(b) the amount of interest included in such price, value, or amount;

(c) the estimated amount of the average annual net assets of the land or property;

(d) the land revenue assessed upon the land or property;

(e) the value of similar land or property in the neighbourhood;

(f) the value of the land or property as shown by previous sales or mortgages.

Concurrent hearing of suits.

28. When more suits than one arising out of the same sale or foreclosure are pending, the plaintiff in each suit shall be joined as defendant in each of the other suits, and in deciding the suits the Court shall in each decree state the order in which each claimant is entitled to exercise his right.

Copy of decree to be sent to Deputy Commissioner: application for revision.

29. *(1)* The Court shall send to the Deputy Commissioner a copy of every original decree granting pre-emption other than a decree granting pre-emption in respect of a building or site of a building in a town or sub-division of a town, and the Deputy Commissioner may, within two months from the date of the receipt of such copy, apply to the Court to which the appeal in the pre-emption suit would lie, or if no appeal lies, to the Divisional Court, for revision of the decree on the ground that the decision of the Court of first instance is contrary to the provisions of the Punjab Alienation of Land Act, 1900. India Act XIII of 1900.

(2) No stamp shall be required upon such application, and the provisions of the Code of Civil Procedure as regards appeals shall apply as far as may be to the procedure of the Appellate Court on receipt of such application.

(3) No appearance by or on behalf of the Deputy Commissioner shall be deemed necessary for the disposal of the application.

CHAPTER V.

LIMITATION.

Limitation.

30. In any case not provided for by article 10 of the Second Schedule of the Indian Limitation Act, 1908, the period of limitation in a suit to enforce a right of pre-emption under the provisions of this Act shall, notwithstanding anything in article 120 of the said schedule, be one year— India Act IX of 1908.

(1) in the case of a sale of agricultural land or of village immoveable property,

from the date of the attestation (if any) of the sale by a Revenue Officer having jurisdiction in the register of mutations maintained under the Punjab Land Revenue Act, 1887, or India Act XVII of 1887.

from the date on which the vendee takes under the sale physical possession of any part of such land or property,

whichever date shall be the earlier;

(2) in the case of a foreclosure of the right to redeem village immoveable property or urban immoveable property,

from the date on which the title of the mortgagee to the property becomes absolute;

(3) in the case of a sale of urban immoveable property,

from the date on which the vendee takes under the sale physical possession of any part of the property.

C. A. BARRON,

Chief Secretary to Government, Punjab.

PUNJAB GOVERNMENT.
LEGISLATIVE DEPARTMENT

The following Act of the Lieutenant-Governor of the Punjab in Council received the assent of His Honour the Lieutenant-Governor of the Punjab on the 8th February 1913 and that of His Excellency the Viceroy and Governor-General on the 4th March 1913; and is hereby published for general information :—

PUNJAB ACT NO. II OF 1913.

The Redemption of Mortgages Act.

Preamble.

WHEREAS it is expedient to provide a summary procedure for the redemption of certain mortgages of land in the Punjab;

It is hereby enacted as follows :—

Title.

1. (1) This Act may be called The Redemption of Mortgages (Punjab) Act, 1913.

Extent.

(2) It extends to the Punjab.

Limitation of scope of Act to certain mortgages.

(3) It shall apply only to mortgages of lan —

(a) in which, whatever the mortgage money, the land mortgaged, after excluding the area of any share in the common land of the village or of a sub-division of the village appertaining thereto and mortgaged therewith, does not exceed in area 30 acres; or

(b) in which, whatever the area, the principal money secured under the mortgage does not exceed 1,000 rupees;

India Act XIII of 1900.

Provided that it shall not apply to any mortgage made under section 6 of the Punjab Alienation of Land Act, 1900.

Definitions.

2. In this Act, unless there is something repugnant in the subject or context,—

(1) the expression "land" means land which is not occupied as the site of any building in a town or village and is occupied or let for agricultural purposes or purposes subservient to agriculture or for pasture, and includes—

(a) the sites of buildings and other structures on such land;

(b) a share in the profits of an estate or holding;

(c) any dues or any fixed percentage of the land revenue payable by an inferior landowner to a superior landowner;

(d) a right to receive rent;

(e) any right to water enjoyed by the owner or the occupier of land as such; and

(f) any right of occupancy;

(2) the expression "Collector" shall mean the Collector of the district in which the mortgaged property or any part thereof is situated, and shall include an Assistant Collector of the 1st grade:

(3) "prescribed" shall mean prescribed by rules made under this Act.

Application of certain sections of Punjab Tenancy Act.

3. Subject to the provisions of this Act and the rules thereunder, the provisions of sections 79, 85, 86, 87, 89, 90, 91, 92 and 101 of the Punjab Tenancy Act, 1887, shall, so far as may be, apply to all proceedings of a Collector under this Act.

Petition for redemption.

4. The mortgagor or other person entitled to institute a suit for redemption may, at any time after the principal money becomes payable and before a suit for redemption is barred, present a petition to the Collector applying for an order directing that his mortgage be redeemed and where the mortgage is with possession that he be put in possession of the mortgaged property.

Verification.

The petition shall be duly verified in the manner prescribed by law for the verification of plaints, and shall state the sum which the petitioner declares to the best of his belief to be due under the mortgage.

Deposit.

The petitioner shall at the same time deposit such sum with the Collector.

Particulars to be contained in petition.

The petitioner shall state in his petition such particulars and file therewith such documents as may be prescribed.

Mortgagee to be summoned.

5. When the petition has been duly presented and the deposit has been made, the Collector shall issue to the mortgagee a summons to appear on a date to be therein specified. Every summons shall be accompanied by a copy of the petition, with the date of deposit endorsed thereon.

Procedure when petitioner is absent and mortgagee present.

6. Where the mortgagee appears and the petitioner does not appear when the petition is called on for hearing, the Collector shall, unless he adjourns the proceedings, make an order that the petition be dismissed, unless the mortgagee admits the claim, in which case the Collector shall make an order—

(a) that the mortgage be redeemed;

(b) that where the mortgage is with possession the mortgagor be put in possession of the mortgaged property as against the mortgagee;

(c) that the mortgagee deposit with the Collector the mortgage-deed, if any, if then in his possession or power, and that it be delivered to the petitioner;

(d) that subject to the mortgage-deed, if any, being so deposited by the mortgagee the sum in deposit be paid to him:

Provided that no such order shall be made inconsistent with any condition of the mortgage whereby a season or period of the year is fixed for redemption or for surrendering possession.

Procedure when petitioner is present and mortgagee absent.

7. When the petitioner appears, but the mortgagee does not appear, when the petition is called on for hearing, the Collector shall, unless he adjourns the proceedings, enquire in a summary manner (a) whether the petitioner is entitled to redeem the mortgaged property, and (b) whether the sum deposited by the petitioner is the sum rightly due under the mortgage.

If the Collector is not satisfied that the petitioner is entitled to redeem, he shall dismiss the petition.

If the Collector is satisfied that the petitioner is entitled to redeem, and that the sum deposited is the sum rightly due under the mortgage, he shall make an order as laid down in section 6 (a), (b), (c) and (d) of this Act.

If the Collector is satisfied that the petitioner is entitled to redeem, but is of opinion that a sum larger than that in deposit is due under the mortgage, he shall fix a period not exceeding 30 days within which the petitioner shall deposit the difference, together with any further sum which may be due on account of interest up to the date of deposit. If the petitioner makes such deposit within such period or such further period not exceeding 30 days as the Collector may fix, the Collector shall make an order in manner aforesaid.

If the petitioner fails to make such deposit within the period fixed, the Collector shall dismiss the petition.

Procedure when both parties are in attendance: order for redemption.

8. Where both parties appear when the petition is called on for hearing, the Collector shall enquire from the mortgagee whether he admits that the petitioner is entitled to redeem, whether he is willing to accept the sum in deposit in full discharge of the mortgage debt, and where the mortgage is with possession whether he is willing to surrender possession of the mortgaged property.

If the mortgagee replies in the affirmative, the Collector shall make an order as laid down in section 6 (a), (b), (c) and (d) of this Act.

If the mortgagee admits the petitioner's title to redeem, but demands payment of a sum larger than that in deposit, the Collector shall enquire from the petitioner whether he is willing to pay such larger sum, and if he replies in the affirmative, the Collector shall fix a period not exceeding 30 days within which the petitioner shall deposit the difference, together with any further sum which may be due on account of interest up to the date of deposit. If the petitioner makes such deposit within such period or such further period not exceeding 30 days as the Collector may fix, the Collector shall make an order as laid down in section 6 (a), (b), (c) and (d) above.

If the petitioner fails to make such deposit within the period fixed, the Collector shall dismiss the petition.

Procedure in contentious cases.

9. If the mortgagee raises objection on any ground other than the amount of the deposit, or if the petitioner is not willing to pay the sum demanded by the mortgagee, the Collector may either (a) for reasons to be recorded dismiss the petition, or (b) make a summary enquiry regarding the objection raised by the mortgagee or regarding the sum due.

Enquiry into objection raised by mortgagee.

10. If on enquiry regarding any objection so raised by the mortgagee the Collector is of opinion that it bars redemption or is a sufficient cause for not proceeding further with the petition, he shall dismiss the petition; but if he is not of that opinion, he shall, unless he dismisses the petition under section 11, make an order as laid down in section 6 (a), (b), (c) and (d) of this Act.

Enquiry regarding sum due.

11. If on enquiry regarding the sum due the Collector is of opinion that the sum deposited is the sum rightly due under the mortgage, he shall, unless he dismisses the petition under section 10, make an order as laid down in section 6 (a), (b), (c), and (d) of this Act, but if he is of opinion that a sum larger than the sum deposited should be deposited by the petitioner, he shall, unless he dismisses the petition under section 10, fix a period not exceeding 30 days within which the petitioner shall deposit the difference, together with any further sum which may be due on account of interest up to the date of the deposit. If the petitioner makes such deposit within such period or such further period not exceeding 30 days as the Collector may fix, the Collector shall make an order as laid down in section 6 (a), (b), (c) and (d) of this Act.

If the petitioner fails to make such deposit within the period fixed, the Collector shall dismiss the petition.

12. Any party aggrieved by an order made under section 6, 7, 8, 9, 10 or 11 of this Act may institute a suit to establish his rights in respect of the mortgage, but, subject to the result of such suit, if any, the order shall be conclusive.

Saving of suits to establish rights.

Notwithstanding anything in this section a mortgagee against whom an *ex-parte* order under section 7 has been made or a petitioner whose petition has been dismissed in default under section 6 may apply to the Collector to have such order or dismissal set aside and the Collector may in his discretion set aside, such order or dismissal on such terms as to costs or otherwise as he may deem fit; provided that the order or dismissal shall not be set aside unless notice of the application has been served on the opposite party.

Setting aside *ex-parte* orders or orders of dismissal.

13. The dismissal of a petition under this Act shall bar any further petition under this Act by the same petitioner or his representative in respect of the same mortgage.

No second petition.

14. If the Collector dismisses a petition under this Act, he shall order that the sum deposited by the petitioner be returned to him.

Return of deposit.

15. No sum deposited with the Collector by a petitioner under the provisions of this Act shall e attached by any Court or Revenue Officer.

Deposit not to be attached.

16. When the petitioner has deposited with the Collector the sum declared by him to be due on the mortgage, and such sum is accepted by the mortgagee, or is found by the Collector to be the sum actually due, interest on the mortgage shall cease from the date of the deposit.

Cessation of interest.

Where the Collector finds that a further sum is due and the petitioner deposits such further sum, interest shall cease from the date of such further deposit :

Provided that nothing in this section shall be deemed to deprive the mortgagee of his right to interest when there exists a contract that he shall be entitled to reasonable notice before payment or tender of the mortgage money :

Provided also that where a suit is instituted under section 12, the court may pass such order as to interest as it deems fit.

17. The Local Government shall have power to make rules, consistent with this Act, for carrying out the purposes of this Act.

Power to make rules.

C. A. BARRON,

Chief Secretary to Government, Punjab.

Punjab Government Press, Lahore—14-3-13—3169—930.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MARCH 21, 1913.

PART V.

Acts of the Lieutenant-Governor of the Punjab in Council which have received the assent of His Excellency the Viceroy and Governor-General.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

The following Act of the Lieutenant-Governor of the Punjab in Council received the assent of His Honour the Lieutenant-Governor on the 12th February 1913 and that of His Excellency the Viceroy and Governor-General on the 6th March 1913, and is hereby published for general information :—

PUNJAB ACT III OF 1913.

The Punjab Forest (Sale of Timber) Act.

WHEREAS it is expedient to provide for the control of the sale of timber and the establishment of sale depôts for sum timber in the Punjab ;

It is hereby enacted as follows :—

Short title, extent and commencement.

1. This Act may be called the Punjab Forest (Sale of Timber) Act, 1913.

It shall extend to such local areas as the Local Government may by notification in the local official Gazette direct ; and it shall come into force in each of such areas on such day as the Local Government in like manner directs in this behalf.

Meaning of terms.

2. In this Act all expressions shall have the meaning assigned to them in the Indian Forest Act, 1878.

Power to make rules regulating sale of timber and the establishment of sale depôts.

Cf. section 41, Act VII of 1878.

3. (*1*) The Local Government may, by notification in the local official Gazette, make rules to regulate the sale of timber and the establishment of sale depôts for such timber.

Such rules may among other matters—

(*a*) prescribe the classes of timber to which the rules shall apply ;

(*b*) define what shall be deemed to be a sale depôt ;

(*c*) provide for the establishment, registration, regulation and inspection of sale depôts, and the levy of fees for registration ; prescribe the period for which registration shall hold good and the conditions under which timber may be brought to, stored at, sold at, and removed from sale depôts ; and prohibit the sale of timber at or the establishment or maintenance of unregistered sale depôts ;

(*d*) regulate the use of sale depôt marks and the registration of such marks ; prescribe the time for which registration shall hold good ; and provide for the levy of fees for registration ;

(e) prescribe the registers to be maintained at sale depôts, and provide for the production of such registers before and for their examination by any forest or police officer authorised in this behalf by the Divisional Forest Officer or by the District Superintendent of Police, respectively;

Cf. section 42, Act VII of 1878.

(f) prescribe as penalties for the infringement of any rule made under this section imprisonment which may extend to six months or fine which may extend to Rs. 500 or both. Double penalties may be inflicted where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority, or if the offender has been previously convicted of a like offence.

(2) All rules made under sub-section (1) shall be so made after previous publication in the Gazette.

Application of Chapter X of Indian Forest Act.

4. The provisions of Chapter X of the Indian Forest Act, 1878, with the exception of section 67, shall apply so far as may be to any infringement of the rules made under this Act as if such infringement were a forest offence under the Indian Forest Act.

Indemnity for acts done in good faith.

5. No suit shall lie against any public servant for anything done by him in good faith under this Act.

C. A. BARRON,

Chief Secretary to Government, Punjab.

Punjab Government Press, Lahore—21.3.13—3242—950.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, MARCH 28, 1913.

PART V

Proceedings of the Council of the Lieutenant-Governor of the Punjab assembled for the purpose of making Laws and Regulations.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab, assembled for the purposes of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 *to* 1909.

THE Council met at the Council Chamber, Government House, **Lahore,** at 11 A.M. on Thursday, the 13th March 1913.

PRESENT:

His Honour Sir LOUIS WILLIAM DANE, G.C.I.E., C.S.I., D.C.L., I.C.S., Lieutenant-Governor, *Presiding.*
The Hon'ble Sardar SUNDAR SINGH, MAJITHIA, Sardar Bahadur.
The Hon'ble Mr. JOHN CORNWALLIS GODLEY.
The Hon'ble Sardar DALJIT SINGH of Jullundur.
The Hon'ble Mr. CLAUD ALEXANDER BARRON, C.I.E., I.C.S.
The Hon'ble Mr ALEXANDER HENDERSON DIACK, M.V.O., I.C.S.
The Hon'ble Mr. MICHAEL WILLIAM FENTON, C.S.I., I.C.S.
The Hon'ble Nawab Sir BAHRAM KHAN, K.C.I.E.
The Hon'ble Babu GAJJAN SINGH.
The Hon'ble Rai Bahadur Bakhshi SOHAN LAL.
The Hon'ble Khan Bahadur Khwaja YUSAF SHAH.
The Hon'ble Rai Bahadur RAM SARAN DAS.
The Hon'ble Rai Bahadur HARI CHAND.
The Hon'ble Mr. JAMES CURRIE.
The Hon'ble Lala KASHI RAM.
The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI.
The Hon'ble Mr. PATRICK JAMES FAGAN, I.C.S.
The Hon'ble Nawab IBRAHIM ALI KHAN of Kunjpura.
The Hon'ble Rai Bahadur SHADI LAL.
The Hon'ble Mr. HENRY PHILLIPS TOLLINTON, I.C.S.
The Hon'ble Malik MUHAMMAD AMIN KHAN of Shamsabad.
The Hon'ble Mr. REGINALD ARTHUR MANT, I.C.S.
The Hon'ble Mr. STEPHEN WILLIAM GRACEY, I.C.S.

[*Mr. Sohan Lal; Mr. Barron; Mr. Fenton.*]

QUESTIONS AND ANSWERS.

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Will the Government be pleased to state if final orders have been received for the introduction of the proposed scheme of District and Sessions Judges in the Punjab, so as to bring the system of Judicial Administration in this province in line with that of the other principal provinces of India, and, if so, when is the new scheme likely to be given practical effect to ? "

The Hon'ble Mr. BARRON replied :—" No final orders have yet been received, and Government has nothing to add to the information given in my answer to a similar question put by the Hon'ble Mr. SHADI LAL in this Council on the 14th December 1912."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Will the Government be pleased to state if it is in contemplation to redistribute the boundaries of certain districts in Central Punjab, with a view to the formation of a new district in the neighbourhood of Lahore, and, if so,—

(*a*) where will the head-quarters of the new district be located,

(*b*) what tahsils will it comprise, and

(*c*) when is the proposal likely to be carried out ? "

The Hon'ble Mr. BARRON replied :—" Owing to the opening of the Upper Chenab and Lower Bari Doab Canals, Government is considering the necessity for forming a new district or districts in the Lahore division, but the scheme has not yet taken definite shape, and it is too early to give any information on the various points mentioned in the question."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Will the Government be pleased to state if it is a fact that the area actually under cultivation in the Chenab Canal Colony very much exceeds the resources of water-supply available for irrigation, and if crops in the colony suffer by reason of insufficiency of water-supply, and, if so, what steps has the Government taken or does it propose to take to restrict the area actually under cultivation, so as to ensure sufficient and effective water-supply to the area assessed with revenue and water-rates ? "

The Hon'ble Mr. FENTON replied :—" It is not the case that the area under cultivation in the Chenab Canal Colony very much exceeds the resources of water-supply available for irrigation, but it is a fact that the colonists in many cases sow a larger proportion of the cultivated area with rabi crops than can be matured by the available water-supply unaided by rainfall. Those irrigators who spread their water-supply over an extended area instead of concentrating it upon the more limited area for which alone Government has guaranteed to supply water are well aware of the risk which they run in the event of the failure of rain. Officers of Government do their best to induce colonists to cultivate a larger proportion of kharif crops and reduce the area of rabi cultivation, but it is neither legal nor expedient to *compel* cultivators to restrict sowings on the lands which they own or hold as Government tenants or to confine the water-supply which they receive to a maximum proportion of the sown area. To do this would cause on the average very serious loss to the owners and would be deeply resented. Even in years like the present where no rain fell until February the crops sown with canal water are doing excellently and will bring in a very heavy return."

[*Mr. Sohan Lal ; Mr. Fenton ; Mr. Godley.*]

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked : -" Will the Government be pleased to state if it is correct that, according to the original rules and practice, the *kharaba* area in the Chenab Colony was excluded from assessment of revenue and water-rates, but that Government has recently issued orders assessing such *kharaba* areas ? Will the Government be pleased to state the reasons for such assessment of the *kharaba* areas ? "

The Hon'ble Mr. FENTON replied : -" The method of making allowances in the land revenue for *kharaba* or failed crops has recently in the case of the Chenab Colony been assimilated to that in force on the other large perennial canals of the Province, but in exceptionally situated estates where the canal water-supply has not yet reached the stability attained in the case of the great majority of colony villages, the system of field-to-field *kharaba* allowances is still maintained. This field-to-field *kharaba* system is nothing more than a temporary expedient, necessary in the case of new perennial canals until the irrigation arrangements of each estate are perfected. When, as is now generally the case, the water-supply far exceeds what was guaranteed by Government at the time the land was allotted, the need for carrying out an investigation into the condition of canal-irrigated crops at the time of harvest no longer exists. The field-to-field *kharaba* system gives to subordinate officials many opportunities for illicit gains, and is from this point of view universally admitted to be objectionable. On the Chenab Canal, as elsewhere, remissions may be given for widespread calamities, large failures of water-supply, and other such causes as justify remissions and suspensions under the standing order applicable to all districts of the Province."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked : -" (*a*) Will the Government be pleased to give the number of Anglo-Vernacular (*i*) Primary, (*ii*) Middle and (*iii*) High Schools in the Kangra district maintained by Government and local bodies, and state what is the ratio of such schools to the area of the district and its population, according to the recent census ?

" (*b*) Will the Government be pleased to state if it thinks that this number of schools is sufficient for the requirements of the district ?

" (*c*) Is the Government aware that it is in contemplation to discontinue the teaching of English in the Middle Schools at Nurpur and Palampur, and, if so, will the Government be pleased to state when the teaching of English in these schools was started and why it is proposed to be discontinued now ?

" (*d*) In view of the fact that a knowledge of English is now indispensible for entering Government service or securing other decent means of living, and the fact that the school at Nurpur does not entail any expenditure on the District Board's funds, will the Government be pleased to make a full enquiry into the matter, and take steps to continue the teaching of English in that school ? "

The Hon'ble Mr. GODLEY replied :-" There are three Anglo-Vernacular Middle Schools and one High School in the Kangra district proper, the area of which is 2,527 square miles and the population 648,539. The accommodation in the schools is reported to be more than sufficient for the present number of pupils.

" I have ascertained that the Hon'ble Member's questions refer to a suggestion which has been made to the effect that when the new Government High School at Dharmsala is ready for occupation, the teaching of English might be advantageously concentrated at that school, which will have ample hostel and class room accommodation to meet all present demands. There are

[*Mr. Sohan Lal*; *Mr. Mant.*]

arguments for and against the proposal, and a local enquiry will be necessary before a decision can be arrived at. No change will in any case be made before 1914."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked:—"Will the Government be pleased to state what part, if any, of the District Board fund is annually spent on sanitation and drainage, etc., of the village *abadi* sites in each of the districts of the Punjab."

The Hon'ble Mr. MANT replied:—"No statistics on the subject are available; but village sanitation, except as regards water-supply, is not one of the duties specifically imposed on the Boards by the Punjab District Boards Act, and the expenditure actually incurred on the purposes referred to by the Hon'ble Member is probably very small. There are so many other claims on the resources of the Boards that they will probably be unable to meet any great increase of expenditure on village sanitation, and if any considerable development takes place in this direction, the cost will probably have to be provided by village taxation. Every attempt is made to induce the villagers to co-operate. In addition to advice from the Sanitary Commissioner's Department the large establishment of 24 Assistant Surgeons and 17 Sub-Assistant Surgeons maintained for the check of plague and malaria try to bring about better sanitation in villages. They have also since 1908-09 been provided with travelling dispensaries and treat over 40,000 persons a year on the average. The question of village sanitation therefore receives and will receive very special attention in the Punjab."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked:—"Will the Government be pleased to state what pecuniary help, if any, is given to the District Boards of Lahore and Gujranwala for the purpose of keeping in proper order the metalled roads which are not exclusively District Boards' and which have been transferred from the Public Works Department to the District Boards."

The Hon'ble Mr. MANT replied:—"It is not understood what the Hon'ble Member means by 'roads which are not exclusively District Boards'. Under section 20 of the Punjab District Boards Act the construction, repair and maintenance of public roads are placed under the control and administration of each Board within the area subject to its authority; and under section 37 of the Act the District fund is made applicable to the payment of the charges and expenses incidental to these roads. It is true that large sums have, from time to time, been expended from Provincial revenues on the construction and maintenance of district roads; but this expenditure was merely supplementary to that incurred by the Boards, and was not intended to relieve them of the responsibility imposed upon them by law. It is thus immaterial whether any particular roads were originally constructed from local funds or from public revenues.

"In 1910 it was decided to discontinue the construction and maintenance of feeder roads by the Public Works Department, and to leave this service entirely in the hands of the Boards who are the authority specially interested in such matters. It was hoped that this development of local self-government would tend to strengthen the Board and prevent the frequent complaint made of bad and expensive work against the Public Works Department. But as it was recognized that the Boards would not be able to maintain the roads in proper order from their own resources, an annual allotment of three lakhs of rupees was made to them from general revenues. In 1911 this allotment was raised to four lakhs. This sum was distributed over the several divisions on con-

[*Mr. Mant; Mr. Sohan Lal; Mr. Hari Chand; Mr. Barron.*]

sideration of the mileage of roads to be maintained and the financial position of the various Boards. The allotment of the divisional grants to the boards was left to Commissioners. In 1911-12 the Lahore district received a grant of Rs. 16,550 and the Gujranwala district Rs. 33,550.

"It has recently been decided to grant further assistance to District Boards for this important service. A sum of two lakhs has been provided in next year's budget, and Commissioners have been asked to frame an estimate of the requirements of the several Boards in their divisions. The general resources of the Boards will also be strengthened next year to the extent of upwards of two lakhs per annum by the remission of the contribution of 20 per cent. on the local rate, which has hitherto been recovered from them for general purposes."

The Hon'ble Rai Bahadur Bakhshi SOHAN LÁL asked :—"Will the Government be pleased to state the annual expenditure and income of the District Board gardens and rest-houses in each of the districts of the Province, and in what manner the rate-payers are benefited by these gardens and rest-houses?"

The Hon'ble Mr. MANT replied :—"The total expenditure by all District Boards on botanical and other public gardens amounted in 1911-12 to Rs. 95,963 and the receipts to Rs. 44,996. Detailed figures for each district will be found in the statements appended to the Report on the working of District Boards in the Punjab during the year 1911-12, which was published in the *Punjab Gazette* on the 6th December 1912. The accounts in the possession of Government do not discriminate between rest-houses and dâk bungalows. The total expenditure by District Boards on these institutions amounted in 1911-12 to Rs. 43,000 and the income to Rs. 22,043. Practically all the dâk bungalows and many of the rest-houses are the property of Government, which makes contributions to the Boards to cover the estimated net cost of management. The net contributions on this account amounted in 1911-12 to Rs. 12,274.

"The rest-houses are useful to travellers and to officials and members of the Boards on tour. As regards the gardens, their circumstances and utility vary in different districts, but apart from their horticultural and arboricultural value and their utility as centres for distribution of improved fruit trees, they afford amenities and fresh air to visitors to the towns in which they are located, and are generally frequented by students. The maintenance of gardens is left entirely in the hands of the Boards, and the Government sees no reason to interfere with their discretion in this matter."

The Hon'ble Rai Bahadur HARI CHAND asked :—"Will the Government be pleased to state whether any instructions have been issued to Deputy Commissioners to set apart one room for the reception of Indian visitors? If so, will the Government kindly inform in which districts the Deputy Commissioners have done so?"

The Hon'ble Mr. BARRON replied :—"In September 1908 the attention of all Commissioners and Deputy Commissioners was drawn to the necessity for providing accommodation for the convenience of visitors, or at any rate the better class of visitors, while waiting for interviews. In places where these officers occupy Government buildings the necessary accommodation has been provided, generally in the shape of a separate small furnished building at a suitable distance from the office room. In places where officers occupy private houses rented by them from private landlords and not necessarily taken over by their successors in office, the matter presents some difficulty. But Government understands that all Deputy Commissioners make such arrangements as are practicable for the convenience of their visitors. Government has agreed to pay a proportion of the rent equivalent to the accommodation set apart for this purpose. Special accommodation has been provided in 21 out of the 28

[*Mr. Hari Chand ; Mr. Mant ; Mr. Tollinton ; Mr. Shadi Lal.*]

districts in the Province. The case of Simla is special. In the remaining 6 districts the provision of such accommodation is contemplated as circumstances permit."

The Hon'ble Rai Bahadur HARI CHAND asked :—" Is it a fact that since the introduction of separate electorates in the Multan Municipality the relations between the two communities, Hindus and Muhammadans, have been increasingly bitter? Is it also a fact that public interests have largely suffered on account of the tension? If so, will the Government consider the advisability of taking some steps to remove the tension ? "

The Hon'ble Mr. MANT replied :—" The existence of friction between the Hindu and Muhammadan communities at Multan has been brought to the notice of Government from time to time during the last 30 years. It was this friction that led to the introduction of separate electorates in 1899, and the electoral system must be regarded as the effect rather than the cause of the trouble to which the Hon'ble Member refers. At the same time the Government recognises that separate electorates have a tendency to secure the election of extremists on both sides, and that the present system at Multan has not relieved the tension, which is undoubtedly detrimental to municipal administration. The Commissioner will accordingly be asked to consider the question again. The Government cannot, however, promise that any change will be effected, because it has found by experience that the revision of municipal electoral rules generally arouses such controversy that the measure is apt to stir up the very trouble which it is intended to allay."

The Hon'ble Rai Bahadur HARI CHAND asked :— " In view of the rise in wages and standard of living, will the Government be pleased to consider the advisability of amending the municipal election rules of all the municipalities in the Punjab so as to raise the qualification of voters ?"

The Hon'ble Mr. MANT replied : —" Municipal election rules come up for revision from time to time as necessity arises, and the Government is not prepared to initiate any general revision on the grounds suggested in the question. The Hon'ble Member is no doubt aware that the tendency of representative Government all the world over is to lower the franchise. The rise in the cost of living in the Punjab is merely bringing about automatically a change which is being deliberately adopted in other countries."

The Hon'ble Rai Bahadur HARI CHAND asked :—" Will the Government be pleased to inform the Council—

(*a*) how many murders have been committed in Multan district within the last twelve months ;

(*b*) in how many cases the culprits have been challaned ;

(*c*) in how many cases convictions secured ? "

The Hon'ble Mr. TOLLINTON replied :—" The answer to the first part of the question is 20, the second part 13 and the third part 7 persons in 5 cases. One case is pending."

The Hon'ble Rai Bahadur SHADI LAL asked :—" In view of the general interest which the physical health of school children and students has aroused and the desire expressed by public bodies to afford facilities for physical examination and advice, will the Government be pleased to state what steps are being taken to ensure that the efforts of the local bodies and other controlling authorities of educational institutions to improve the physique of scholars will be rightly and wisely guided, in their initial stages? Will the Government also state whether it will make provision to appoint a Medical Adviser (an expert in school hygiene) to the Education Department who will co-operate with public bodies and educational officers desiring guidance in schemes relating to the physical welfare of students ? "

[*Mr. Godley ; Mr. Shadi Lal.*]

The Hon'ble Mr. GODLEY replied :—"The position with regard to the medical examination of school pupils and college students was explained in my answer to a question put by the Hon'ble Member on the same subject at the Council meeting held on the 2nd October 1912. Guidance and advice in this matter are obtained from the local medical and educational officers. The appointment of a Medical Adviser to the Education Department will be considered in connection with the general review of our educational position now contemplated in view of the large grants made by the Government of India."

The Hon'ble Rai Bahadur SHADI LAL asked :—"In view of the remarks of the Government of India in paragraph 7 of the recent resolution on education, will the Government be pleased to appoint a committee of medical and educational experts to make an enquiry into school and college hygiene ?"

The Hon'ble Mr. GODLEY replied :—"This question, as well as the other suggestions and recommendations made in the resolution recently published by the Government of India, will receive the careful consideration of the Local Government."

The Hon'ble Rai Bahadur SHADI LAL asked :—"Will the Government be pleased to state the number of the Government High Schools in the Punjab? How many of these schools have got school houses and hostels owned by the Government, and what steps have been taken to build suitable school buildings and hostels for the schools which have depended upon hired buildings so far ?"

The Hon'ble Mr. GODLEY replied :—"All the 29 Government High Schools in the Province are housed in buildings which are Government property, and twenty-four of them have hostels attached which are also owned by Government. New hostels have been built or acquired for ten of these schools in recent years, and entirely new school buildings have been provided for four schools, in addition to the erection of temporary quarters and the extension of existing accommodation. Several other building schemes are in course of preparation."

The Hon'ble Rai Bahadur SHADI LAL asked :—"Having regard to the facts that the number of teachers turned out from the Central Training College, Lahore, is altogether insufficient to meet the demand, and that the College is unable to take all the candidates who apply for admission, will the Government be pleased to consider the question of establishing a second Training College either at Lahore or some other educational centre ?"

The Hon'ble Mr. GODLEY replied :—"Up to quite a recent date the Central Training College has been able to receive all applicants. Should the present demand for places continue, the question of dividing the College into separate institutions for senior and junior teachers will be taken up."

The Hon'ble Rai Bahadur SHADI LAL asked :—"Has the attention of the Government been drawn to the following remarks of the Director of Public Instruction in paragraph 21 of the Quinquennial Report on Education in the Punjab :—

'The larger committees have never made any serious effort to deal with the problem of the elementary education of the masses, and their attitude towards industrial and technical training has been one of indifference. The smaller municipalities are occasionally reported to make a profit off their schools.'

"Will the Government be pleased to take early steps to bring about an improvement in the attitude of the Municipal Committees towards primary, industrial and technical education ?"

[*Mr. Godley* ; *Mr. Shadi Lal* ; *Mr. Ram Saran Das* ; *Mr. Fenton.*]

The Hon'ble Mr. GODLEY replied :—"The duty of spending a fair proportion of their income on education is one which is urged on Municipal Committees by the officers of Government, and it is thought that these bodies are, on the whole, more ready to fulfil their responsibilities in respect of education than was the case formerly. The additional funds which are now placed at their disposal owing to their being relieved of police charges and the cost of aiding secondary schools should be of material assistance."

The Hon'ble Rai Bahadur SHADI LAL asked :—"In view of the facts that the inspecting staff of the Education Department are inadequate to supervise efficiently the large number of schools under their supervision, and that their work is rapidly increasing with the extension of education, will the Government consider the desirability of making an addition to the number of the inspecting staff ?"

The Hon'ble Mr. GODLEY replied :—"The matter has engaged the attention of Government for some time, and provision has been made in the budget for the appointment of 12 additional Assistant District Inspectors of Schools."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"(*a*) Will the Government be pleased to state the principle of assessing water-rates on lands irrigated by perennial canals ?

"(*b*) Is it a fact that in the schedule of occupiers' rate of Upper Chenab Canal the wheat crop has been transferred from the 4th to the 3rd class ; if so, will Government kindly state on what consideration the change was made ?

"(*c*) Has the attention of Government been drawn to complaints about short supply of water in the colonies as published in the leading article of the *Tribune*, dated the 11th October 1912, and, if so, will Government state what remedial measures it proposes to adopt ?

"(*d*) Is it a fact that the schedule of occupiers' rates, as sanctioned for Upper Chenab Canal, is much higher than that prevailing in other perennial canals ? If so, will Government state on what principles these rates are fixed ?

"(*e*) Will Government consider whether the enhancement of occupiers' rate is not inconsistent with the shortage of water-supply which is a general complaint in the colonies ?"

The Hon'ble Mr. FENTON replied :—"Taking the sub-heads of the Hon'ble Member's questions in order, my replies are as follows :—

"(*a*).—The standard to be aimed at in fixing water-rates is explained in paragraph 378 of the Report of the Indian Irrigation Commission of 1901-03. That body recommended that 'there should be a gradual enhancement of rates until the charges for water are equal to what it is really worth ; that is, until the rates charged to an occupier are the maxima compatible with a full demand for water, and those paid by the owner are a fair share of the increase in the value of his net assets due to irrigation.' The rates so far levied in the Punjab are very far below this standard, to which only a gradual approach can be contemplated.

"(*b*).—There are no prescribed or recognised classes for water-rates applicable to all canals. Each canal has its own schedule of rates and classes. As there was no such schedule for the Upper Chenab Canal in existence before the notification of that to which the Hon'ble Member now refers, there could

[*Mr. Fenton*; *Mr. Ram Saran Das*.]

not have been any such transfer of wheat from one class to another as is indicated in the question. The Hon'ble Member doubtless alludes to the fact that the occupiers' rate for wheat on the Upper Chenab Canal is Rs. 5 per acre as compared with a rate of Rs. $4\frac{1}{4}$ per acre in the adjoining estates of the Lower Chenab Canal. This enhancement was recommended by Sir James Douie and approved by the Local and Supreme Governments as a suitable rate for a crop which is so profitable as wheat and in the dry climate of the Punjab so little subject to disease.

"(*c*).—Government is well aware of the fact that the shortage of water in many of the canals of the Province consequent upon the phenomenally dry weather of December, January and part of February has been the subject of complaint. These complaints have ceased since the supplies in the rivers have been replenished by the rainfall of the last and the current month. One main cause of the shortage is that the owners irrigate much larger areas than were contemplated when the canals were made. Thus the irrigable area contemplated for the Lower Chenab Canal was 66 per cent. of the total cultivation. The actual irrigation was 106 per cent last year. This extension, however, is useful as checking over-irrigation, and the present reports indicate that excellent crops are on the land and the great extension of irrigation has been of the greatest value to the owners and to the country.

"The question of remedial measures is one which Government has ever under consideration. Among such measures are those for increasing the supply by the construction of storage reservoirs in the hills; the puddling of canal channels so as to prevent loss by percolation, and in the case of the Western Jumna Canal the construction of a feeder channel from the Ganges. Continuous care is being taken to prevent over-irrigation and waste in the upper channels so as to secure a better supply in the lower distributaries

"(*d*). Some of the Upper Chenab occupiers' rates are higher than those on other canals in the Province; some are not so high. As stated on page 351 of volume III of the Imperial Gazetteer of India the average Punjab water-rate is Rs. 3-4-0 per acre as compared with an average of Rs. 4-8-0 in Madras, the United Provinces and the Bombay-Deccan. From the same publication the Hon'ble Member will learn that on canals in Bombay rates varying from Rs. 10 to Rs. 50 per acre are paid for sugarcane. In general the charges for irrigation depend upon the kind of crop, the quantity of water ordinarily required for it and the time when it is required, the quality of the soil, the intensity or the constancy of the demand, and the value of irrigation in increasing the outturn.

"(*e*).—It is erroneous to describe the rates fixed in the occupiers' schedule of the Upper Chenab Canal as involving any enhancement. They are the rates at which water is offered from the very first to cultivators who never before enjoyed canal irrigation. There is no obligation whatever to take canal water, and cultivators who do not desire to receive it need not be supplied. Judging, however, from the results obtained last *kharif*, there is no reason to anticipate that the pitch of the occupiers' rates will have any deterrent effect so as to limit the demand for water and they are still far below the standard above-mentioned."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"(*a*) Is Government aware that the Municipal Committees of Bhiwani, Hissar, Lyallpur and Dera Ghazi Khan do not contain any elected members.

"(*b*) Will Government consider the desirability of granting to these municipal towns the right of electing a certain number of members, especially when the committees now possess the privilege of taking part in the election of Members for the Legislative Council?"

[*Mr. Mant; Mr. Ram Saran Das; Mr. Diack.*]

The Hon'ble Mr. MANT replied: - "The elective system was abandoned in Hissar in 1896 and in Bhiwani in 1903, because the strong faction feeling in those municipalities rendered good administration impossible on elective lines. The Commissioner will be asked whether he considers that the elective principle may now be restored without reviving the evils to which it gave rise.

"In Lyallpur elections have hitherto been considered inadvisable in view of the recent foundation of the town and the special conditions hitherto prevailing in which most of the funds were provided by Governwent. The Commissioner will be consulted on the question of introducing the elective system.

"The municipality of Dera Ghazi Khan was abolished when the old town was swept away by the river. The site for the new city has been constituted a notified area, and proposals for converting it into a municipality are under consideration. In connection with these the question whether or not the elective system should be introduced will be considered, but here again most of the expenditure is being met by Government."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"Will Government consider the desirability of granting to the districts in Rawalpindi and Multan divisions the right of electing certain number of members to the District Board, especially in view of the eligibility of these District Boards to take part in the Council election under the new regulation?"

The Hon'ble Mr. MANT replied:—"The Government has recently considered this question, and sees no reason to depart from the view taken in its Review on the Administration of District Boards for year 1911-12.

"That view is stated in the following passage:—

'The Lieutenant-Governor recently invited opinions on the question of extending the elective system in those Boards where all, or the majority of, the members are appointed; but the replies of the local officers have convinced him that the time is not yet ripe for an advance in this direction. So long as the leading men prefer nomination to election, the substitution of the latter for the former method of appointment would lower the status of the Boards and make them less representative than they are at present of the true public opinion of the rate-payers. It remains to be seen whether the extension to District Boards of the franchise for the Provincial Legislative Council will engender sufficient competition to induce the leading land-holders to submit to election for seats on the Boards. For the present it is necessary to retain a large nominated element in this new electorate to the Legislative Council."

The Hon'ble Rai Bahadur RAM SARAN DAS asked: - "(*a*) Is Government aware that the price of *ghi* and milk, the mainstay of the Punjabis, has risen considerably?

(*b*) "In view of the fact that in most places very little area is available for grazing, will the Government consider the desirability of granting squares in the new colonies on nominal rates to those who undertake to keep dairies, in order to supplement the supply of good butter and *ghi*, similarly to the grants of lands for horse-breeding and poultry farming?"

The Hon'ble Mr. DIACK replied:—"(*a*) Government is aware of the large rise in the prices of *ghi* and milk in the Punjab.

[*Mr. Diack*; *Mr. Ram Saran Das*; *Mr. Godley*; *Mr. Tollinton.*]

"(*b*) Government is fully alive to the importance of reserving sufficient areas for the grazing of cattle in the new colonies. Proposals to this end are now under the consideration of the Financial Commissioners, and it has been decided to reserve from 15,000 to 20,000 acres for this purpose on the Lower Bari Doab Canal. Government has shown its interest in the general question of the milk supply of the Province, by placing an officer on special duty to write a monograph on cattle and dairying in the Punjab and by making a grant of land in the Montgomery district for a dairy farm on a large scale. While, however, Government is prepared to encourage cattle-breeding in every legitimate manner, the Lieutenant-Governor does not consider it either economically justifiable or fair to the general tax-payer to give away squares of land either free or at nominal rates to persons who are prepared to carry on what is after all an old-established industry in the Punjab whose maintenance and furtherance are a more appropriate opening for private enterprise than for Government subvention."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"(*a*) Will Government be pleased to state what enquiries have been made by the Industrial Committee nominated by the Government?

"(*b*) Will Government consider the desirability of starting model industrial schools in industrial centres of the Province?"

The Hon'ble MR. GODLEY, replied:—"(*a*) The Committee on Industrial Education in the Punjab submitted its report in 1912. I shall be glad to supply the Hon'ble Member with a copy. Government awaits the opinion of the Committee on the special report of Colonel Atkinson and Mr. Dawson as affecting their report.

"(*b*) The industrial institutions maintained by Government at present are the Mayo School of Industrial Art and the Railway Technical School, both of which are being improved. No decision has been arrived at with regard to starting other Government institutions, but local bodies have been offered liberal grants for buildings, equipment, and salaries in order to enable them to open industrial schools, and several new schools of the kind are being arranged for. The difficulty is to obtain suitable teachers."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"(*a*) Has the attention of Government been drawn to the continued prevalence of serious crime in the province, especially dacoity and murder?

"(*b*) Will Government be pleased to state (*i*) how many dacoities and murders have taken place in the Rawalpindi and Multan divisions in particular, and in the whole province generally, during the last calendar year; and (*ii*) in how many of these cases the police have been successful in tracing the culprits and securing their conviction?"

The Hon'ble MR. TOLLINTON replied:—"(*a*) Government is well aware of the state of crime in the province and is doing all that is possible in the existing state of the law to improve matters. Special police have been drafted into the most disturbed tract, and more and better arms have been provided for them. The worst tracts have been required to furnish punitive police. The security sections of the Code have been carefully worked, and the Crown is represented in all cases, and every attempt is made to furnish evidence on which the courts can convict. More than this as the law stands cannot be done.

"(*b*) There has been a slight decrease in the number of dakaitis during the last calendar year as compared with the year 1911: in 1911 there were 135 cases and in 1912, 126. The number of murders during the two years was 608 and 674, respectively.

[*Mr. Ram Saran Das; Mr. Tollinton; Mr. Barron.*]

"Of the total number of murder cases in the year 1912, 187 (involving 303 persons) were prosecuted to conviction. Two hundred and forty-three cases were pending at the end of the year.

"Of the dakaitis, 41 cases (involving 210 persons) were convicted. Thirty-two cases were pending at the end of the year.

"The figures for the Multan and Rawalpindi divisions are as follows:—

Murders.

"316 cases: convicted, 88 cases, 157 persons: pending 95 cases.

Dakaitis.

"71 cases: convicted, 17 cases, 101 persons: pending 25 cases."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"Is it a fact that the majority of the victims of these dacoities have been traders or bankers? If so, will Government kindly state what special measures it proposes to adopt to secure these inoffensive people from such attacks?"

The Hon'ble MR. TOLLINTON replied:—"It is not a fact that the majority of the victims in these cases were bankers or traders.

"In the Multan and Rawalpindi divisions, where 316 cases of murder occurred, bankers or traders were the victims in only 20 cases.

"In only 28 cases of dakaiti out of the 71 which occurred in those divisions were persons of the above classes the sufferers. Government does not propose to adopt any special measures for the protection of any particular class of people, though respectable and trustworthy persons are given licenses for arms for the protection of their persons and property."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"In his speech at the close of the last budget discussion, His Honour the Lieutenant Governor was pleased to say that the Deputy Commissioners had been instructed to freely grant licenses for arms to respectable people applying for them, so as to give them a chance to protect themselves against depredation by dacoits. Will Government be pleased to state—

(*a*) the total number of applications by religion for licenses for arms made during the calendar year 1912;

(*b*) the number of cases in which such licenses have been granted to (*i*) agriculturists, (*ii*) non-agriculturists?"

The Hon'ble Mr. BARRON replied:—"The remarks of His Honour the Lieutenant-Governor which the Hon'ble Member has quoted referred only to certain exposed districts in the north-west of the province. Since the last budget discussion a question has already been asked in this Council on this subject, and I would invite the Hon'ble Member's attention to the answer I gave to the Hon'ble Mr. SHADI LAL on the 2nd October last. In that answer the statistics regarding arms licenses in the districts specially concerned were carried down to the 31st August 1912. It is not clear whether the question refers to these particular districts or to the province generally. It does not, however, appear to be necessary to call for fresh statistics from the exposed districts after the lapse of so short a time. For the province generally such statistics as are available regarding the number of licenses to carry arms for the purposes of protection, sport and display which are in force or are granted each year are published annually with the report on the destruction of wild animals in the *Punjab Gazette*. The statistics for 1912 will probably be published next month.

[*Mr. Ram Saran Das* ; *Mr. Tollinton.*]

"In statistics of this nature it is not the practice to differentiate the holders of arms licenses by religion or occupation, and the Lieutenant-Governor does not consider it advisable to introduce any such distinctions. There is no reason to suppose that District Magistrates will differentiate improperly between persons of different creeds in granting licenses for *bonâ fide* protection of person or property, and it is the desire of Government to minimise as far as possible these unfortunate sectarian differences rather than to increase them by differential treatment."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"Will Government be pleased to state whether they have under consideration any proposal to change the law with the object of keeping a better control over persons of bad character as a check on crime ? If so, will the Government indicate the lines on which the law is intended to be modified ? In this connection articles to this end which have appeared in the public papers have, no doubt, received the attention of Government."

The Hon'ble Mr. TOLLINTON replied :—"Government has nothing to add at present to the reply given to the Hon'ble Mian MUHAMMAD SHAFI in this Council on the 2nd October 1912 on this subject. The matter is now under the consideration of the Government of India in connection with the amendment of the Code of Criminal Procedure. A number of articles on this subject, which have appeared in the newspapers, have been seen by Government. The present intention is to take action, but what form of action will be taken cannot be said at present, as the matter is still under the consideration of Government."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"Has the attention of Government been drawn to the resolution passed at the Punjab Hindu Conference at Delhi in which the inadequacy of the Hindu element in the higher rank and file of the police service was emphasised ? Will the Government be pleased to state what steps it has taken or has in contemplation to remove this inequality ?"

The Hon'ble Mr. TOLLINTON replied :—"The resolution of the Punjab Hindu Conference referred to by the Hon'ble Member has been seen by Government. Government is of opinion that in recording a resolution to the effect 'that in the matter of making appointments to the public services, more especially in the Police Department, undue preference had been, and was being, given to considerations of religion and creed rather than to merit, fitness and seniority in service, to the detriment of efficiency and the interest of the Hindu community,' the conference was making a mistake of fact. The first consideration is always fitness for the post. But if fitness alone were considered, inequalities such as are complained of might tend to be greater than they are at present. It is alleged that Hindus will not enter the police on the present pay notwithstanding the recent increases. It can hardly be contended that the pay should be raised merely to induce them so to enter, and unless they enter as constables the higher rank must contain a smaller proportion of Hindus, as they are to some extent recruited from the rank and file."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"In his speech referred to in question 7, His Honour the Lieutenant-Governor was pleased to observe that 'the process of recruiting men of good position and education for a higher grade in the police service was going on rapidly.'

"Will the Government be pleased to state—

"(*a*) the number of Hindus and Sikhs of good position and education who have been appointed to the grade of Deputy Superintendent and Inspector since the re-organization of the police forces; and

[*Mr. Tollinton ; Mr. Ram Saran Das* ; *Mr. Barron.*]

" (*b*) the number belonging to other communities so appointed during the same period ?"

The Hon'ble Mr. TOLLINTON :—" I have been asked to suggest to the Hon'ble Member that there is some obscurity about the phrase 'good position and education.' If he will specify more fully a fuller answer will be given at the next meeting of the Council."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—" (*a*) Is it a fact that the performance of the play of 'Ram Natak' by the Hindu Amateur Theatrical Club in the premises of the Sanatan Dharam Sabha (known as Vakil Khana, Nabha) near Hazura Sarak (road), Ludhiana, has been stopped by the Municipal Committee of the town ?

" (*b*) Is Government aware that the play of Ram Natak is the Ramayan dramatised and is regarded with feeling of reverence by Hindus, and possesses nothing calculated to incite racial feelings or sentiments of disloyalty ?

" (*c*) If the answer to question (*a*) is in the affirmative, will Government state what led the Ludhiana Municipality to prohibit the performance, especially as the Deputy Commissioner had on several previous occasions permitted it. Will Government consider the desirability of taking steps with a view to permitting a large number of its loyal subjects to enjoy their national entertainments ?"

The Hon'ble Mr. BARRON replied :—" The Lieutenant-Governor has ascertained from the Deputy Commissioner of Ludhiana that the Municipal Committee of that town did recently, at a meeting at which the Deputy Commissioner was not present, refuse sanction to the performance of the play called 'Ram Natak'. The action of the Municipal Committee is believed to be due to the religious friction at present existing. It is unfortunate that faction feeling in Ludhiana should be so embittered, and the Lieutenant-Governor can only hope that Hon'ble Members will by example and precept here and elsewhere endeavour to allay, as far as it is in their power, sectional disputes which prevent different portions of the community living in harmony and enjoying innocent pleasures in peace.

" Government has no knowledge of this particular play as performed by the Ludhiana Hindu Amateur Theatrical Club, but understands that the Deputy Commissioner has at various times given permission for its performance, and has also signified his intention to allow it during the forthcoming 'Holi' holidays. He also proposes to give the Ludhiana Municipal Committee an opportunity for again considering the question.

" The incident is purely one of local concern, and does not appear to call for any interference on the part of Government at this stage. In fact it would have perhaps been better in the interests of general harmony, which no doubt the Hon'ble Member has at heart, if, instead of having a question put in this Council on the subject, the promoters of the performance and their friends had after approaching the Deputy Commissioner awaited the result of his intervention."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—" Will Government be pleased to consider the desirability of appointing a committee of experts to enquire into the prevalence of small-pox in rather epidemic form in various towns of the Punjab, especially in view of preventive measures adopted to combat disease ?"

The Hon'ble Mr. TOLLINTON replied :—" The prevalence of small-pox is admitted. During the present winter the disease has attained proportions

[*Mr. Tollinton; Mr. Ram Saran Das; Mr. Godley; Mr. Barron; Mr Mant.*]

which have never been attained except in the year 1906, since the enactment of Act XIII of 1880. But it is doubtful whether any advantage would accrue from the appointment of a committee of experts. All experience shows that vaccination is the best prophylactic, but the Vaccination Act can only be extended to municipalities and cantonments, and to the former only in case a majority of the members desire it.

"Further it may be doubted whether even the amount of compulsion that is permissible under the Act is now resorted to, or could, in the present state of public opinion, be more resorted to than it is at present. Commissioners, Deputy Commissioners, Civil Surgeons, Tahsildars and village officers have been instructed to press vaccination in every way possible, but it is really a matter in which the leaders of public opinion should take the lead, and it is difficult to see what more can be done by Government."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"Will Government be pleased to lay a statement on the table contrasting separately the number of (i) primary, (ii) lower primary schools in each district in 1912 with the similar statistics of 1911."

The Hon'ble Mr. GODLEY replied:—"Owing to the shortness of the notice I have not been able as yet to obtain the statistics asked for by the Hon'ble Member, but I hope to be able to supply them at the next Council meeting."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"Will Government be pleased to try the experiment in a few selected places of appointing qualified visiting governesses to instruct grown-up girls and women in home industries."

The Hon'ble Mr GODLEY replied:—"Government cannot well undertake to maintain a staff of visiting governesses either for the province or for selected centres, but grants are allowed for home education or zenana classes under article 72 of the Education Code. Liberal grants for this purpose have recently been made in Lahore. If other centres can work out and produce suitable schemes Government assistance will no doubt be forthcoming."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"(a) In view of the enormous revenue derived from the Railway, will Government kindly move the Railway authorities to provide raised platforms at all stations including flag stations, as a matter of convenience no less than safety to passengers?

(b) In view of the growth of female passengers' traffic and the admitted convenience of female ticket collectors, will Government consider the desirability of moving the Railway authorities to increase their number on the principal stations?"

The Hon'ble Mr. BARRON replied:—"The Hon'ble Member's suggestion will be brought to the notice of the management of the North-Western Railway, but the Administration of that Railway is not under the orders of the Local Government. The Lieutenant-Governor has no doubt that the Agent will give the suggestions the fullest consideration which the convenience of the travelling public, including especially female passengers, demands."

REVISED FINANCIAL STATEMENT FOR 1913-14

The Hon'ble Mr. MANT, in presenting the Revised Financial Statement* for 1913-14, made the following explanatory remarks:—"For the third year in succession it is my privilege to present a prosperous Financial Statement. In doing so I trust I may take the liberty—not often enjoyed by official

* See appendices I and II.

[*Mr. Mant.*]

members—of congratulating Your Honour personally on the financial progress which the province has made during your term of office. In the memo. attached to the Financial Statement I have given a brief comparison between the revenue and expenditure in 907-08 and the Budget Estimates for the coming year. Perhaps Hon'ble Members would glance for a moment at the table in paragraph 24 of the memo. The figures speak for themselves, but I may perhaps be permitted to say that the great advance in growing revenue has been stimulated by Your Honour's efforts, especially in stiffening the land revenue administration, and in pushing on the construction of canals which are of such great benefit both to the cultivators and to the public revenues. The policy of selling proprietary rights to tenants in the canal colonies, which Your Honour advocated, has greatly augmented our immediate resources, though the receipts from such sales represent a capitalization of revenue, and can only be utilized for non-recurring expenditure Still greater financial benefit is to be expected from the revision of the Provincial Settlement, which is estimated to bring in a net gain to Provincial Revenues of upwards of ten lakhs in 1913-14, and which, by converting a large amount of fixed into growing revenue, has secured substantial progress for the future. The carrying out of this reform is largely due to Your Honour's persistence in pressing the claims of the province and to the eloquence of Mr. Fenton, whose spirited attack is still remembered by the Finance Member of the Imperial Council.

"2. Turning now to the Revised and Budget Estimates it will be seen that we now expect to collect 95 lakhs more and to spend 20 lakhs less in the current year than was anticipated a year ago. Nearly 52 lakhs of the increase in revenue are accounted for by Imperial Assignments, but after making this deduction, there is still a net improvement of 63 lakhs to be explained. An unexpected surplus is generally regarded as a matter for congratulation, but I feel no pride in seeing this large addition to our balances. It simply means that we were badly out in our budget. The variations are explained in detail in the memorandum, and I need only mention here a few general considerations. The first is that the Local Government has not a free hand in framing the budget. The estimates under the large divided heads are subject to revision by the Government of India and are frequently so revised. The second is that the greater part of our revenue is derived from industries connected with agriculture, and is therefore largely dependent on the seasons. Thus in the Revised and Budget Estimates 61 and 66 per cent. respectively of the total revenue is expected under the two heads of Land Revenue proper and Irrigation Major Works. In view of the uncertainty of the climate it is generally advisable to frame cautious estimates under these heads, but I admit that the budget estimate of irrigation receipts in the current year was unduly cautious.

"3. The third consideration is that, as pointed out in the memo. many of the spending departments, having been starved for some years, have got into the habit of asking for more than they really need. Their appetite has, moreover, been whetted by the large grants made by the Government of India to Provincial Revenues in the last few years. An idea seems to have got about that the more we spend, the more we shall get, and consequently there is no lack of projects for expenditure. It may be inferred from Sir Guy Fleetwood Wilson's remarks with regard to the distribution of the current year's surplus that the scramble for the loaves and fishes is likely to cease for a while, and personally I think it will not be a bad thing for Provincial finance if we have to depend more on our own resources. From this point of view it is a hopeful sign that the Government of India have this year for the first time partially adopted a suggestion of the Decentralisation Commission that Imperial grants should not be earmarked for particular purposes, but that their expenditure should be left to the discretion of Provincial Governments. We have thus obtained a grant of

[*Mr. Mant.*]

12 lakhs in aid of general provincial resources. The utilization of this grant will be carefully considered, and only ⅓rd of it (*i.e.*, 4 lakhs) has been added to the expenditure budget for the coming year.

"4. The budget for next year anticipates a deficit of nearly 44 lakhs. Of this total 29 lakhs are accounted for by expenditure from Imperial grants, mainly for sanitation, education, and agriculture. The remaining 15 lakhs will be provided from ordinary Provincial balances, from which liberal provision has been made for expenditure on public works. Many of these works will extinguish rents or allowances at present paid, and may therefore be regarded as remunerative. Notwithstanding the deficit the year is expected to close with the large balance of Rs. 1,46,22,000, and, what is more important, I think that we may now regard our normal revenue as sufficient to meet the present standard of expenditure. That standard is of course continually rising; it is right that it should do so in a progressive province. The steady growth of the cost of living is reflected by increases of pay for subordinate and menial establishments, and it is not improbable that the labours of the Public Services Commission will result in raising the pay of superior appointments in various departments. We have also to meet large demands for raising the general standard of civilization, especially in matters of education and sanitation, and, with the spread of canal irrigation and the progress of agriculture, the demand for better roads is steadily growing. But with all these demands before us we can I think face the future with confidence, and trust that judicious expenditure on the development of the province will bring in sufficient funds to enable our resources to keep pace with requirements.

"5. When presenting the Financial Statement last year I explained a new procedure which we had then just introduced of laying all proposals of heads of departments for new expenditure before the Finance Committee at a preliminary meeting before the budget was made up. The same course was followed this year, and, although we had at our subsequent meeting a new Committee representing the new Council, the work done at the preliminary meeting was not altogether wasted, and I think I may say that the new procedure has justified itself, and that it may advantageously be adopted as a permanent arrangement. As I said last year, the co-operation of the non-official members is of great advantage to Government in framing the budget, and I believe that in this direction lies the soundest line of development for those who seek to extend representative institutions in this country. We do not always see eye to eye with the Government of India in financial matters, and, as indicated in my memorandum, we have not succeeded in persuading them to allow us to invest our accumulated balance in the manner that would seem most profitable for the Province. There is still room for considerable development in the decentralisation of Provincial finance, but the real obstacle to progress in this direction is the lack of what might be called Provincial patriotism. Indian politics have been organized on a racial or religious rather than on a territorial basis, and provincial interests languish because the leaders of the people are more concerned to push the claims of their particular sect or party than to work for the good of their province. The Provincial Councils cannot attain their full measure of usefulness and influence, and Provincial Governments cannot obtain wider financial powers until the representatives of the people learn to sink party differences and to work together for the common interests of the province.

"6. With these remarks I beg to present the Revised Financial Statement.

"7. I have also to introduce the consideration of certain heads of which I

[*Mr. Mant ; Mr. Diack.*]

am Member in charge. Of these heads only the following call for special remark.

Under Stationery and Printing there is a decrease of Rs. 20,000 both in receipts and expenditure owing to a change in the method of accounting for lithographic printing paper obtained by the jails from the Stationery Office at Calcutta and distributed by them to heads of departments.

"8. Under XXV—Miscellaneous the decrease of Rs. 4,76,000 in the receipts is mainly accounted for by the abolition of the contribution of 20 per cent. of the local rate which Government has hitherto taken from District Boards in consideration of certain general services which it has performed on behalf of the Boards. It has now been decided that Government will bear the cost of these services in future without charge to the local rate-payer, and the 20 per cent. contribution estimated at Rs. 4,10,000 per annum has consequently been remitted. At the same time certain grants which have hitherto been made by Government to the Boards for various purposes will lapse. The net result of these changes is estimated to increase the resources of the Boards by Rs. 2,08,000 a year, and this sum will be made good to Provincial Revenues by a recurring Imperial assignment. We have not received such a large assignment on this account as some other provinces, possibly because our more liberal treatment of the Boards in the past has left less to remit. But it is also possible that the difference may be due to different classification of charges in the accounts, and this question is under examination.

"9. Under 29—Superannuation Allowances and Pensions the normal rate of increase of expenditure has been retarded by the transfer from the Punjab accounts of pensions paid at Delhi. When dealing with this head last year I mentioned as one of the causes which tended to increase pensionary charges the continual growth in the number of ministerial appointments. A small committee of experienced officers has been enquiring into this matter during the last few months, and it is hoped that the results of their labours will be a considerable reduction in clerical work and in the number of appointments in various offices, and that with the funds thus set free it may be possible to effect a material improvement in the pay and prospects of the appointments that will be retained. Pending the conclusion of this enquiry Government has been unable to give effect to the scheme, for which provision was made in the current year's budget, of making an all-round increase in the pay of clerks on Rs. 30 a month or less, but it is prepared to undertake more than a mere readjustment of the expenditure on clerical establishments, and Rs. 80,000 have been provided in the budget under the head 32 - Miscellaneous for such increases of pay as may be found desirable next year after consideration of the committee's report.

"10. I now ask permission to lay before the Council the figures under the following heads of income :—

XII—Interest,
XXII—Receipts in aid of Superannuation,
XXIII - Stationery and Printing,
XXV—Miscellaneous,

and under the following heads of expenditure :—

1—Refunds and Drawbacks.
29—Superannuation Allowances and Pensions.
30—Stationery and Printing.
32—Miscellaneous.
36—Reduction or Avoidance of Debt."

The Hon'ble Mr. DIACK :—"Receipts under I—Land Revenue are classified in the budget under six heads of which the two most important are

[*Mr. Diack.*]

Ordinary Revenue' and 'Sale of Government estates.' The former contributes the bulk of the income. Appendix B to the Financial Statement shows that for 1912-13 we budgetted, under Ordinary Revenue, for a gross income of 310 lakhs. This was made up of 223 lakhs on the fixed revenue roll and 87 lakhs under various systems of fluctuating assessment. The estimate of 223 lakhs on account of fixed assessments has been almost completely realized. The bumper rabi of 1912 enabled us to recover, as was anticipated, about 10 lakhs of land revenue suspended in the preceding kharif and in other previous harvests; and the kharif of 1912 though below average in unirrigated tracts owing to the early stoppage of the monsoon, has not necessitated such general and large suspensions as the previous kharif. The amount suspended is less than 2 lakhs as compared with 9 lakhs then. While our estimate of fixed land revenue has thus been realized nearly in full, the collections under fluctuating assessments, mainly on canal-irrigated land and principally on the Lower Chenab Canal, have very largely exceeded the estimate. This must be attributed partly to the good working of the canals and partly to the increased demand for canal water owing, first, to a dry spring, and afterwards to the late commencement and early stoppage of the monsoon. The result is a revised estimate of Rs. 3,24,53,000 for 1912-13 as compared with the budget of 310 lakhs.

"In budgetting for 1913-14 we have to deal with the rabi now on the ground and with the coming kharif. The unirrigated rabi is below average, but, thanks to the welcome rain which has just fallen, it is unlikely that there will be any need for extensive suspensions. We must assume that the kharif will not be other than normal. Our budget for ordinary revenue, both fixed and fluctuating, must therefore follow the average. We cannot reckon on recovering much of the arrears still remaining of suspended land revenue on the fixed rent roll, but we expect an enhancement of 5 lakhs as the result of the introduction in the districts of Ludhiana, Ferozepore, Amritsar and Gurdaspur of the new demands imposed in the course of recent settlement operations. The estimate of fixed collections for 1913-14 is therefore 218 lakhs. As the result of re-assessment in Lyallpur we anticipate an increase of 4 lakhs under fluctuating collections, and the total estimate of these collections is 98 lakhs. The budget for ordinary revenue for 1913-14 is therefore 316 lakhs.

"Next in importance under the land revenue head comes the minor head 'Sale of Government estates', that is to say, principally land on the Lower Chenab Canal. As I remarked last year, the budget under this head is largely speculative. The original estimate for 1912-13 was designedly moderate—33 lakhs The revised estimate is nearly 55 lakhs. For the year 1913-14 the budget has been put at 26 lakhs only, and it would not be safe to assume a higher income from this source, as 93 per cent. of the yeomen and about half the total number of peasants in the Chenab Colony have already purchased proprietary rights in their holdings, and comparatively few remain to purchase in future years.

"The other heads of income under land revenue are normal and call for no remark.

"The deduction to be made from the total owing to the indirect credit taken by the Irrigation Department for land revenue on canal-irrigated lands rises *pari passu* with the increase of assessment on these areas, and no detailed account of this is necessary. In the present year, however, the abolition of owner's rate as a separate head and its inclusion in land revenue has swelled the debit to land revenue on this account. The net total to be divided between the Imperial and Provincial Governments according to the revised estimate

[*Mr. Diack; Mr. Fenton.*]

for 1912-13 is Rs. 3,11,77,000 which is shared equally by the Imperial and Provincial Governments, while the share of the Provincial Government is raised to Rs. 2,30,65,000 by assignments from the Government of India, which it is a conventional practice to convey through the land revenue head and which will be found explained in detail in appendix A to the Finance Member's memorandum. For next year a similar calculation gives Rs. 1,65,73,000 as the Provincial share, or about 3 lakhs less than the amount originally budgeted for the year now current. The contributions from Imperial which have since been received are very much in excess of the usual scale, owing to the exceptional nature of the Imperial surplus.

"As regards expenditure the revised estimate under 3 – Survey and Settlement shows a decrease on the original from Rs. 11,15,000 to Rs. 9,80,000. There has been no material change in our settlement programme to account for this: it is due merely to Settlement Officers having over-estimated the amount of expenditure they thought they were likely to incur during the year, and viewed as a saving it is satisfactory. The programme which I sketched last year has been carried out. It was in excess of the normal, as I explained then, and in the coming year we shall still have nine districts under settlement or more than it is ordinarily desirable to have, and we estimate for an expenditure of Rs. 8,60,000 in 1913-14 as compared with the revised estimate of Rs. 9,80,000 for the current year. But our general scheme of settlement operations aims at a reduction of the number of districts simultaneously under settlement to six in 1917 and to an even lower figure thereafter.

"Turning to income and expenditure under heads XXI and 26—'Scientific and other Minor Departments,' which are principally spending departments, we find little change between the budget and the revised estimate for the current year in receipts (Rs. 1,20,000 to Rs. 1,22,000), but a decrease from Rs. 10,75,000 to Rs. 8,75,000 in expenditure. This is partly because it has not been possible during the year to utilize the whole of a special allotment made for the development of agriculture and partly because the contemplated revision of the staff of the Punjab Veterinary College has had to be postponed. In the budget for 1913-14 both income and expenditure are increased by Rs. 77,000 and Rs. 1,40,000 respectively by the transfer of the Hissar Cattle Farm from the Imperial to the Provincial Government. The expenditure side is further raised by the addition to it of assignments from Imperial revenues for the improvement of agriculture amounting to Rs. 3,73,000, and the total expenditure budgetted for amounts to Rs. 13,89,000 compared with the revised estimate for the current year of Rs. 8,75,000. Among the agricultural experiments under contemplation I may mention one for the reclamation of reh-infected land in the Chenab Canal Colony which though costly will if successful be amply repaid. A sum of Rs 40,000 for the purchase of plant and other expenditure in connection with this is included in the revised estimate.

"I present the budget for heads I and 1—Land Revenue and XXI and 26 Scientific and Other Minor Departments"

The Hon'ble Mr. FENTON :—"Rule 11 (2) of the rules for the discussion of the annual Financial Statement provides that the consideration of each head or group of heads shall be introduced by the Member in charge with such explanations, supplementing the information contained in the Revised Financial Statement as may appear to him to be necessary. In connection with the subject of Excise I would invite the attention of the Council to paragraphs 11 and 17 of Mr. Mant's memorandum, and sections V (income) and 7 (expenditure) of Mr. Parsons' note appended thereto. The explanations given in these passages are so full that there is little left for me to say by way of supplement.

[*Mr. Fenton.*]

"The figures with which we are concerned will be found on page 5 of appendix B of the Financial Statement. It will be seen that we are budgetting for exactly the same total income in 1913-14 as we expect to receive in the current year, but we have to make good a reduction of about 2½ lakhs on account of the exclusion of Delhi income and of about 4 lakhs on account of the income of the current year including 14 months' license fees as compared with 12 months' fees realizable in 1913-14. To counterbalance this reduction of 6½ lakhs we expect to realise an additional Rs. 1,20,000 on account of the enhancement of the issue price of excise opium from Rs. 18 to Rs. 20 per seer, and an additional Rs. 50,000 in consequence of the abolition of wastage and dryage allowances on liquor removed from distilleries. I confess I do not quite see how the additional 4½ lakhs odd are to be made up, especially as the February and March auctions of licenses indicate a reduction of about 1½ lakhs to date as compared with the results of last year's auctions. But the Government of India who are responsible for the budget are satisfied that the ordinary growth of revenue will produce the total income shown on page 5 of appendix B. Experience no doubt justifies this conclusion, provided that there is no arrest of the general prosperity of the consuming classes which undoubtedly has a very direct influence on the growth of this branch of revenue. Thanks to the rainfall which commenced on 15th February, there is every prospect of this prosperity being maintained.

"There are many features of Excise administration which possess interest for members of this Council and for the public at large, but the Council will no doubt agree with me that in the absence of any resolution affecting the estimates the present is not a suitable occasion for discussing questions of policy. An opportunity for such discussion will occur when the new Excise Bill comes under the consideration of the Council. I may mention that the assent of the Government of India to the introduction of the Bill was received yesterday.

"The revenue heads Stamps and Assessed Taxes are not open to discussion by this Council. As regards the corresponding expenditure heads, I have nothing to add to the remarks in the Finance Member's memorandum I have also been charged with the duty of introducing the Public Works Department budget heads. For that purpose the Chief Engineer has been good enough to supply me with a memorandum containing the following information which will be of interest to the Council :—

"Progress on the Triple Project continues to be satisfactory. Of the total estimated cost aggregating 10·07 crores, 7·6 crores will have been spent by the close of the current financial year. The Upper Chenab Canal was opened for irrigation by His Excellency the Viceroy on the 12th April 1912, and has, during its first year, irrigated 153,000 acres as against 40,000 acres anticipated in the project estimate. Work on the Lower Bari Doab Canal has also advanced sufficiently to permit of the Canal being formally opened for irrigation in part of the commanded tract. His Honour the Lieutenant-Governor has very kindly consented to perform the ceremony on 12th April. It is expected that the Upper Jhelum Canal will be ready for opening by April 1915 at latest. If, however, the work of making the deep cutting near the head of the canal at Mangla progresses as satisfactorily as it has done hitherto, it might be possible to open the canal in October 1914. The later date is a more reliable one.

"Under the head XXIX—Irrigation—Major Works the total direct receipts for the current year (1912-13) are estimated at 244 lakhs. Of this the Provincial budget is credited with half only under the terms of the Provincial Settlement. The total direct receipts in 1909-10 amounted to 178·9 lakhs, in 1910-11 to 184·3 lakhs, and in 1911-12 to 205·8 lakhs. This shows a steady

[*Mr. Fenton.*]

increase, and it is hoped that it will be maintained in future years, provided climatic and other conditions are as favourable as in the past and present years.

"Under 42—Irrigation—Major Works the total expenditure, exclusive of interest on debt, was for the year 1909-10, 75·2 lakhs; for 1910-11, 74 lakhs; for 1911-12, 79·3 lakhs; and in the revised estimate for current year (1912-13) 83 lakhs, of which half will go against the Provincial budget. Out of the increase of 4 lakhs over the actuals for 1911-12, the Upper Chenab Canal, which was brought into operation during 1912-13, accounts for an increase of a little more than 1½ lakhs and the special works on various canals account for the remainder.

"The net income of the years 1912-13 and 1913-14 is Rs. 51·2 lakhs and 47·7 lakhs, and exceeds the present guarantee of 41 lakhs under the terms of the Provincial Contract by 10 lakhs and 6·7 lakhs, respectively.

"This year too has been a favourable one for irrigation. In the year 1910-11 the total area irrigated in the Punjab was 7·23 million acres, in 1911-12 it was 8·33 million acres, and in the current year (1912-13) 8·46 million acres have been irrigated or an advance of 1·5 per cent. over the previous maximum area irrigated (during 1911-12) and equivalent to 60 per cent. of the culturable commanded area.

"In connection with 45—Civil Works I would invite attention to paragraphs 21 and 22 of part I and to page 19 of part II of the Finance Member's memorandum. Never before in the history of the Province has it been possible to provide a crore of rupees for roads, buildings and public improvements. It is possible that the whole of this money will not be spent. We are certainly experiencing a new set of conditions. Whereas formerly in our lean years our difficulty was to find funds for the carrying out of plans and estimates for which administrative and professional sanction had long previously been given, now the difficulty is to keep pace, in the investigation and decision of administrative questions affecting large works and in the framing of plans and estimates—to keep pace with the generosity of the Financial Department in making funds available.

"Of course, members will realise that although the head 45—Civil Works is a separate head in the budget, the Public Works Department, in so far as its activities are concerned with buildings, is really the servant of all other departments. It will be seen from the figures in the Finance Member's memorandum that the Revenue, Administrative, Education, Agricultural and Medical Departments extensively benefit by the grants classified under this head. In particular, I would call attention to the following items for educational buildings, *viz.*—Punjab Veterinary College 5 lakhs; Preparatory School for the Aitchison College, Rs. 50,000; hostel for the Medical College, Lahore, 1 lakh; hostel for the Mayo School of Art, Rs. 40,000; Biology and Physics Laboratory, Government College, Lahore, 1 lakh. There is also a provision of over 9 lakhs for ordinary educational buildings. The items in the coming year's budget which perhaps possess the greatest interest for the public generally are those relating to the road bridges over the Sutlej, Beas and Ravi rivers. Communications generally receive due recognition in the estimates. There is provision for an additional subvention of two lakhs to District Boards for feeder roads. Then there is a special grant of Rs. 1,46,000 for roads in the Hoshiarpur district to serve the large traffic catchment area which will be tapped by the new railway, and, lastly, the

[*Mr. Barron; Mr. Tollinton; Mr. Godley.*]

requirements of the new Lower Bari Doab Colony are catered for by the provision of a lakh and a half for roads in the Montgomery district. This is only the beginning of a long vista of expenditure which will be necessitated by colonization developments in this area."

The Hon'ble Mr. BARRON:—"Your Honour, I beg to introduce the expenditure head No. 18—General Administration. The figures are fully explained at page 15 of the memorandum by the Finance Member. I fully concur in his remarks."

The Hon'ble Mr. TOLLINTON:—"Your Honour, in introducing the heads of the budget committed to my charge, I have nothing to add to the full explanation given by the Hon'ble the Finance Member in his memorandum and the note appended thereto; but I desire to make a short explanation in connection with the remark that has been made in paragraph 14 to the effect that rather more than 3 lakhs under the head Sanitation and Vaccination have been carried forward till next year, because various other schemes, for which it seems *primâ facie* desirable to devote the money available, have not yet been fully worked out. Lest the Members of the Council and the Province generally should think that Government is in any way backward in pressing sanitary schemes, I desire to explain that about two months ago a scheme for the sanitation and water-supply of Multan was received by Government, but as it had not been scrutinised by expert engineers, it was thought desirable to send it for consideration to the Sanitary Board. At the same time a sewerage scheme for Lahore came up before the Sanitary Board, but was returned to the municipality for further consideration by the municipality. Of course it would have been possible for Government to make over the balance of the Sanitary grant to the committees concerned, but as most of the big lump grants also referred to in paragraph 14 of the memorandum, that is, Rs. 2,20,000 to Amritsar, Rs. 1,50,000 to Rawalpindi, and Rs. 1,00,000 to Sialkot, all had been made towards the close of the year, it was considered desirable more or less to earmark this balance for the schemes in question and not actually to make over the money to the municipalities till they had satisfied Government and the Sanitary Board that the schemes were worth the expenditure which it was proposed to incur. There is no danger that we shall be considered to be spending too little money on sanitation. From page 13 of the Revised Financial Statement for the current year you will see that the revised estimate for the current year shows that we are spending 1½ times more than we spent last year on Sanitation and Vaccination; and if we spend the full amount we have put forward in the budget we shall spend as much as 4½ times of what was spent last year. With these remarks I beg to introduce the heads of which I am the Member in charge—VI—Provincial Rates and 2—Assignments, IX and 11—Forests, X and 12—Registration, XVI and 19—Law and Justice, XVII and 20—Police, XX and 24—Medical."

The Hon'ble Mr. GODLEY:—"The liberal grants recently sanctioned from Imperial revenues and the improved condition of the finances of the Province have rendered it possible to budget for a large increase in educational expenditure. A brief explanation of the increases under the various heads will perhaps be sufficient, as details have already been given in the Finance Member's memorandum.

"Under 'University' a new Imperial grant has been included. The increase under 'Inspection' provides for the addition of 12 Assistant District Inspectors of Schools, and for an adequate staff of Inspectresses. The provision for Government College includes the salaries of a Professor and a Demonstrator of Botany, as well as the cost of botanical equipment. Under

[*Mr. Godley.*]

'Government Schools—General' there is special provision for the equipment of Government High Schools, the enhancement of the allowances of Hostel Superintendents, and also for the maintenance of Queen Mary's College. The cost of provincialising the Lawrence School, Murree, has been added as in previous years, in the hope that sanction will be accorded to this proposal. The latter increase is set off by an addition to the estimated receipts from fees. Rupees 65,000 have been provided under 'Government Schools—Special' for improvements to the Mayo School of Art; there is also provision for a new Normal School at Lyallpur and for the salary of an expert in manual training who will arrive shortly. There is an increase of Rs. 10,000 under 'Scholarships,' the rates of which it is proposed to raise generally. The 'lump provision for the improvement of education' includes a new grant of Rs. 11,50,000 recently sanctioned by the Government of India, and also the greater part of the recurring Darbar grant, most of which will be spent, as before, on primary education. It is understood that Rs. 3,38,000 of the new grant is recurring, but no definite information as to this grant has reached me as yet, and I am unable to say what portions are ear-marked for special purposes.

"In view of the statements made in the Imperial Council by the Hon'ble Member for Education that a large portion of the Imperial grants remains unspent, it may interest this Council to learn that practically the whole of the Punjab share, except one lakh which has been reserved for the new Government College laboratories, has been disposed of. The delay in the case of the laboratory scheme has been chiefly due to the plans having been retained for a long period by the Consulting Architect to the Government of India. During the current financial year the District Boards have received Rs. 1,65,500 for the improvement and erection of hostels, Rs. 2,29,500 for the erection of buildings for vernacular schools, and Rs 6,36,0 0 from Imperial and Provincial grants combined for the maintenance of these schools. Rupees 20,000 have also been paid in grants to the boards for training classes, while large building grants have been made to private schools, and an extensive building programme for Government institutions has been undertaken.

"A lengthy discourse on educational expenditure would tax the patience of the Council, and I do not propose to inflict it on them; but I should like before closing these remarks to allude briefly to two subjects—the extension of elementary education and the education of girls. The opening of primary schools is left to the discretion of the local bodies, but every effort is made by the officers of the Education Department to induce these bodies to frame definite programmes, and to utilise the funds allotted to them for educational objects to the best advantage. Under the system introduced in recent years two-thirds of the cost of every primary school maintained by the District Boards are defrayed from Imperial and Provincial grants, provided that adequate salaries are paid to the teachers; and in addition special grants are made to backward districts. We have a programme of expansion based on figures received from the District Boards, and by the end of the year it will be possible to ascertain how far the boards have availed themselves of the new opportunities. The want of suitable teachers is, as before, the main obstacle to progress. The small training classes which have been conducted in various districts in connection with middle schools have done something to meet the demand, but larger measures are urgently needed. Schemes are consequently being worked out for new Normal Schools of manageable size at Lyallpur, Gurdaspur, Rohtak, and elsewhere, and it is hoped that by the end of the year two or three new schools will be available. Educational advance cannot be rapid without a far better staff of teachers than we at present possess, and it is satisfactory to be able to report that the recent improvements in the pay and prospects of teac ers in village schools have resulted in a marked increase in the number and improvement in the quality

[*Mr. Godley*; *Mr. Shadi Lal*; *Mr. Tollinton*]

of candidates for such posts. The Government of India, in their resolution on education recently issued, have laid it down as a guiding principle of educational policy that the steady raising of the standard of existing institutions should not be postponed to increasing their number when the new institutions cannot be efficient without a better-trained and better-paid teaching staff. It is hardly necessary to say that unless this precept is followed, the foundations of the educational edifice will be insecure, and a mere numerical increase of schools will not have the results which are desired.

"The new grants will enable steps to be taken during the year to improve the arrangements for the education of girls. The staff of Inspectresses will be strengthened, and certain schools will possibly be taken over by Government as practising schools for new local training classes. The Punjab Association have already agreed to transfer the Victoria School which has hitherto been supported by a grant of Rs. 12,000 per annum to the direct management of Government, and the grant to the Association will be continued if they can frame a satisfactory scheme for expending it in the maintenance of elementary schools for girls and zenana classes. Steps will be taken to provide girls' schools with suitable buildings and equipment, and the scholarship system will be revised. The Inspectress of Schools has prepared a scheme of improvement for the Amritsar girls' schools, and it is hoped that similar schemes will be forthcoming for Lahore and other centres. A conference of persons interested in the education of women is being arranged for, to consider the questions to which I have referred and the lines on which development can best be helped forward.

"In conclusion, I need only say that the educational position seems to be in every respect hopeful. It is not always easy to spend large grants at short notice without wastefulness, but there has been time now to plan action beforehand and to have schemes of improvement elaborated. Building schemes, in particular, need time, as the acquisition of sites is often an expensive and tedious process, apart from the preparation of plans, and even the most ardent admirers of the machinery of Government will not claim that the ordinary procedure is expeditious. We have now, however, got beyond the initial stage, and may look forward to future development with confidence."

RESOLUTION ON RURAL SANITATION.

The Hon'ble Mr. SHADI LAL :—"Your Honour,—the following resolution which stands against my name in the List of Business—

> 'that this Council recommends to His Honour the Lieutenant-Governor that a Sanitary Committee, consisting of officials and non-officials, be appointed for each district of the Punjab to frame proposals and give advice as to the sanitary and hygienic improvements of urban and rural areas in the district, and that a sum of 5 lacs out of estimated expenditure under 'Medical No. 24' be set apart for improving the sanitary condition of villages having a population of 2,000 persons or more'

divisible into two parts, and, as it embraces two distinct issues, I think it would be desirable that I should deal with them separately. The first part of the resolution consists of a recommendation to the Local Government to appoint district committees to look after the sanitation of the areas within their charge."

The Hon'ble Mr. TOLLINTON.—"May I rise to a point of order. May I ask if the resolution is to be taken in two parts, whether the first part would comply with the provisions of rule 13 (*e*) on page 72 of the rules?"

[*The President ; Mr. Shadi Lal.*]

His Honour the PRESIDENT :—" Yes, I think so. I think that the committee would be appointed with a view to the expenditure of sanitary grants."

(To the Hon'ble Mr. SHADI LAL) :—" I am most anxious that you should have an opportunity of putting forward your resolution, and I think you may put it forward in that way."

The Hon'ble Mr. SHADI LAL :—" It is certainly relevant. I was submitting that the first part of the resolution deals with a recommendation to the Local Government to appoint Sanitary Committees in the districts. There exists, at present, a Sanitary Board for the whole of the province consisting of officials and non-officials, and I am glad to see that the Board has already done very useful work to improve the sanitary condition of a few important towns in the Province. But the Board can scarcely claim to be a representative body when it has not got among its members any person representing the important Municipal Committee of Lahore or the vast rural areas scattered all over the province. Moreover, the work of the Sanitary Board suffers for want of a definite sanitary programme which takes into account the requirements of the urban and rural population of the whole province. I venture to think that the work of the Sanitary Board will be much more useful and systematic if it is assisted by District Committees.

As regards the constitution of the District Sanitary Committee, I would suggest that it should consist of the Deputy Commissioner as *ex-officio* chairman and a certain number of official and non-official members. It is necessary that the Sanitary Committee should be a small body, in order to meet the objection that is sometimes raised that it might otherwise degenerate into a talking body. The non-official members should be drawn partly from the municipal committees of the district as representing the urban population and the district boards as representing the rural population. The functions of the District Committee ought to be *inter alia* to suggest measures for improving the sanitation of towns and villages and devise means for carrying them out. The recommendations of the different Sanitary Committees should then be placed before the provincial Sanitary Board which, subject to the sanction of the Government, should pass orders on the different schemes submitted to it and make recommendations as to the distribution of the sanitary grants.

" My proposal, therefore, is that the Government should take steps to create in each district a Sanitary Committee on the lines indicated above. Of course my suggestions are only tentative, and the actual details can be worked out after the principle is accepted. I should, however, like to mention one point more, and that is this : that the Sanitary Committee of a district should be partly elected and partly nominated.

"The object of the second part of my resolution is to draw the attention of the Government to a serious omission in our sanitary programme. The Government has adopted some measures to improve the sanitary condition of some important towns, but, as far as my knowledge goes, very little has been done for the agricultural population of this province. I am aware of the fact that the Government has appointed a few Assistant Surgeons and Sub-Assistant Surgeons to prevent plague and malaria, and provided travelling dispensaries. But this is not enough. It would be recognised that the sanitation of our villages is in a very bad way, and though we realise large cesses and large revenues from the tillers of the soil we do not spend much money to improve their sanitary conditions. I would, therefore, submit that we should study the sanitary needs of the rural areas, and provide for an active campaign against insanitation. We might make a beginning with large villages having a population of two thousand persons, or more. I do not ask the Government to undertake a large scheme involving large sums of money,

[*Mr. Shadi Lal*; *Mr. Ram Saran Das*; *The President*]

but I do say that there are several small matters in which we can help the inhabitants of villages. For instance, we can regulate conservancy, provide for the protection and periodical examination of the water supply, prohibit the making of pits and excavations, fill up insanitary ponds and pits and prohibit public nuisances. In the United Provinces of Agra and Oudh steps have already been taken on the lines above mentioned, and I would request that we should do the same.

"I want the Council to recognise the principle that the sanitation of villages, which is in a very crude form, deserves our careful consideration, and that a share, however small, of the provincial revenues, to which the villagers contribute so handsomely, should be spent to meet their requirements. I am not particular as to the exact sum which should be allotted for this purpose or the exact source from which the money ought to come. Though in the resolution I was, according to the rules, bound to specify both these matters, I am willing to accept any modification or suggestion which my Hon'ble friend the member in charge wishes to make. I find from the memorandum of the Finance Member that, the Government of India grant of 14½ lacs made in 1912-13 is ear-marked for urban sanitation, but out of the grant made prior to 1912-13 a sum of more than 3 lacs is still available which is not so ear-marked. This money could be usefully employed for rural sanitation. With these remarks, I move the resolution, and hope that it will receive the consideration which its importance demands."

The Hon'ble Rai Bahadur RAM SARAN DAS in seconding the resolution said:—"Your Honour,—I need hardly dilate upon the importance of sanitation as indispensable to the growth of a sound mind in a sound body in the modern times of all round development. For this very reason the Government of India have from some time past very graciously entered upon a policy of thoroughly improving the sanitary administration of the country. The Government of India have been, year after year, making handsome assignments for sanitation. But year after year we have been allowing our balances under this head to pile up."

His Honour the PRESIDENT:—"It is hardly correct, I am afraid, to say 'year after year,' you might say two years, it would be nearer the mark."

The Hon'ble Rai Bahadur RAM SARAN DAS continuing:—"In 1910-11 the Imperial Government made us a grant of Rs. 4 lacs. The Local Government budget for sanitation during that year was Rs. 4,58,000 But what did we actually spend? No more than Rs. 1,93,000. In the year 1911-12 the Imperial Government made us a grant of 10 lacs. The Local Government's budget for that year was Rs. 10,46,000. Five lacs were budgetted for Central Research Institute, Kasauli, and 2½ lacs for sanitation. Out of the latter one lac was granted to Amritsar for sanitary works and Rs 26,000 were paid as reward to villagers in the Chenab Colony for sanitary improvements. But the actual expenditure during this year for sanitation was Rs. 3,70,000 only. Again last year also the Imperial Government assigned a considerable grant to the Punjab for sanitation. Our budget under this head was Rs. 18,04,000. The revised budget, however, has dwindled down to Rs. 9,56,000 only. In 1911 we had an unspent balance of Rs. 2,65,000, in 1912 of Rs. 6,76,000, and this year the revised budget shows that the unspent balance has increased to Rs. 8,48,000. The actuals would probably be much higher still. Your Honour, the health of the people is of primary importance. The last census figures have alarmed us. People are decreasing in population. Is not this a very serious cause for anxiety? Your Honour, it is very necessary that the sanitary department in the Province should be up and doing. In this matter the people would very gladly

[*Mr. Mant ; Mr. Ram Saran Das ; The President.*]

co-operate with the Government. Let sanitary committees consisting of officials and non-officials be appointed for each district of the Punjab to frame proposals and advise for sanitary and hygienic improvements of rural areas in the districts. The resolution moved by the Hon'ble Mr. SHADI LAL requires Rs. 5 lacs for improving rural sanitation only. The resolution, however, in its first part, aims at improving the sanitary condition of urban areas as well. So in accordance with the spirit of the resolution moved, I would take the opportunity of urging the claim of the municipality of the capital of the Province to generous consideration at the hands of Government, especially in this period of prosperity budgets and large surpluses. I would strengthen my plea on behalf of Lahore municipality by quoting from the recent speech of the Hon'ble the Finance Member of the Imperial Council the words attributed to His Excellency the Viceroy, *viz.*, that his chief desire was that the amelioration of sanitation and the wide and comprehensive diffusion of education should form the chief features of his Viceroyalty. Lahore is badly in need of a good sewerage and drainage."

The Hon'ble Mr. MANT :—" I rise to a point of order. I think the sanitation of the Lahore municipality has nothing to do with the resolution which deals with village sanitation. Lahore is hardly a village."

The Hon'ble Rai Bahadur RAM SARAN DAS continuing :—" The sewerage and drainage scheme provides for the carrying out of one of these features, and the making of a generous and adequate grant for the execution of the said schemes without adding to burdens of the committee and the people will, I submit, be the translation into effective action of the desires of the Imperial Government as expressed by His Excellency the Viceroy. The Government has already made grants from the Government of India's assignments for sanitation as follows :—

Ambala water-works improvements, Rs. 30,000 ; Amritsar City sewerage scheme Rs 2,20,000 ; Sialkot water supply Rs, 100,000 ; Rawalpindi intramural drainage, Rs. 1,50,000. Your Honour, I would beseech you to take into consideration the sanitation of Lahore, the capital city of the Punjab also.

His Honour the PRESIDENT :—" I am afraid your remarks are not very appropriate or very much to the point, but I have no objection to your completing them as you are on the subject of sanitation."

The Hon'ble Rai Bahadur RAM SARAN DAS continuing :—The municipal Committee of Lahore has already submitted to the Government its scheme. They want 15 lacs of rupees to carry out their sewerage and drainage projects. The health of the capital city of this Province is of first importance. It is the educational centre of the Province. The health of the future lights of Punjab depends on the proper sanitary arrangements in Lahore. I, therefore, beg Your Honour to grant the sum of at least 5 lacs for Lahore in addition to the sum of 5 lacs my colleague the Hon'ble Mr. Shadi Lal asks in his resolution. I, therefore, second the resolution moved by my Hon'ble friend with the small addition I have made. I hope the Government will very kindly accept this resolution, and grant Rs. 5 lacs for rural sanitation and Rs. 5 lacs towards sewerage and drainage schemes in Lahore."

His Honour the PRESIDENT :—" I am afraid you are entirely off the point. I must really call you to order."

The Hon'ble Rai Bahadur RAM SARAN DAS :—" With these words in support of the resolution I beg to resume my seat."

[*Mr. Fenton.*]

The Hon'ble Mr. FENTON :—"Your Honour—As President of the Sanitary Board, for the time being, I think I may legitimately claim to say something concerning this resolution. It will be noticed that the first part of it recommends that a sanitary committee be appointed for each district of the Punjab. Now when the Hon'ble Mr. Gokhale proposed to create administrative bodies additional to the existing constitutional authorities, he excused and justified his proposal on the ground that the advisory councils for each district which he was recommending would include in the scope of their duties many subjects which did not come within the cognizance of the existing District Boards. But these sanitary committees, as I understand, which Mr. SHADI LAL proposes to create, will be concerned only with work which legitimately falls within the control of the existing District Boards, and I altogether deprecate this ignoring of the existence of the District Boards and the overlooking of their functions. I would call attention to section 20 of the District Boards Act, which provides that the following matters shall *inter alia* be under the control and administration of each District Board within the area subject to its charge. Among others—

'(e) The supply, storage and preservation from pollution of water for drinking, cooking and bathing purposes.

'(p) Any other local works or measures likely to promote the health, comfort, convenience and interests of the public or the agricultural or industrial prosperity of the country.'

Now it may be urged that the District Boards are too large and unwieldy bodies to undertake these special duties, but section 26 of the District Boards Act contemplates the appointment of sub-committees, and we are all familiar with the existence of sanitary sub-committees in the case of Municipalities. I can, however, quite understand Mr. SHADI LAL'S desire to overlook and ignore District Boards. We are all aware of the scorn and contempt in which he holds those bodies. We remember that on the occasion of his address to the Hindu Conference in Delhi in October last, he spoke of the District Boards being composed—I would ask the three Members here who are representatives of District Boards to mark the words—'composed of ignorant zamindars, the educated element being at a discount.' Well, if that be the view he holds of District Boards, we can understand his proposal to substitute other authorities in their place. However, I think that most of us are assured that in matters where knowledge of rural surroundings and rural sanitation is essential, the members of District Boards are a body very competent to give a well-advised and well-considered judgment.

"Now, so far as I can gather from Mr. SHADI LAL'S remarks, the Hon'ble Member apparently considers that he is entering upon an unknown and unexplored region which has never before been entered by officials of Government or been surveyed by those concerned with the administration of District Boards. In this he is quite mistaken. The Sanitary Board has not been remiss in considering the question of village sanitation, nor has Government. The matter has been investigated again and again, and I can assure Mr. SHADI LAL that the literature on the subject is extensive, far-reaching and, judging from the bulk of the Board's file of correspondence, weighty too. The requirements and necessities of village sanitation have been formulated by the Sanitary Board, after careful enquiry and investigation, and I would, for example, just call attention to the following memorandum of requirements which appears in the agenda of a meeting of the Board at which the points

[*Mr. Fenton.*]

to be observed in reporting on claims to the sanitary rewards offered for clean villages were noted down.. Under the head of I.—Water-supply it is said:—

'The condition of the well or other water-supply as regards purity and avoidance of contamination—

(*a*) This would include in the case of wells of which the water is used for drinking purposes—

(1) the provision of masonry parapets and platforms;

(2) the clearing of the wells at least once a year;

(3) the maintenance of the cylinders of the wells in good repair;

(4) the provision of suitable drains for the outflow of spill water from the wells;

(5) the provision of an iron bucket for public use at each well;

(6) the prevention of the accumulation of filth or manure in the proximity of wells.

(*b*) In the case of tanks or ponds from which water is obtained for drinking purposes—

(1) the provision of separate tanks for cattle and men, and the fencing of the latter;

(2) the habitual prevention of washing either of clothes or of the person in the tank or pond used for drinking purposes;

(3) the prevention of the tank or pond used for drinking purposes being utilized as the outfall of any drain from a house or the village site.'

II.—The general surface cleanliness of the village.

'This would include the avoidance of accumulation of filth and the presence of manure heaps in any public place within the village and the immediate vicinity of the village site. Additional claims for consideration would arise—

(1) if good arrangements are made for the disposal of night-soil;

(2) if manure heaps in private premises are kept covered with earth;

(3) if a limit is observed restricting the use of the fields for purposes of nature to a suitable distance from the village site.

'Enquiry might also be made as to the efficiency of the arrangements for making the sweepers keep the village streets and the village site in a sanitary condition.'

"Now the conclusion which emerges from an examination of this list of sanitary requirements is that most of the improvements are such as can be carried out by the people themselves without any expenditure whatsoever. Probably the only expenditure which might be called for, the only direction in which pecuniary aid is required, is the provision of a drinking water well where none such exists; but in regard to all other matters what is required is merely the enforcement of sanitary precautions by the people themselves, the abstaining from undesirable habits, and in a word the development of a sanitary conscience.

"But to secure these objects we must proceed in either of two ways, that is to say, by penalties or by rewards. Both these methods have in the past been very fully considered by the Local Government. At one time a Bill dealing with village sanitation was circulated for opinion throughout the Province, and as a result of the opinions and suggestions on that Bill received from all consulted, Sir Dennis Fitzpatrick came to the conclusion that the time had not yet arrived for the enforcement, by means of legislation involving penal provision of sanitary measures within villages.

[*Mr. Fenton.*]

"It is quite true that in the United Provinces, under the Village Sanitation Act, 1892, power is given to make rules providing penalties for sanitary faults, but in our small municipal towns and notified areas, where we have got a Municipal Act under which sanitary offences can be punished, these penal provisions are more or less a dead letter. The committees view with complacence the commission of these faults, and it is only in very large towns under the stimulus of authority, when the agency of the police is utilised, that sanitary offences are punished, and even there the sanitation of the street is considered sufficient; the sanitation of the house is left to the people themselves. Until we see in the smaller towns the observance and the enforcement of the provisions of the Municipal Act, I think it would be somewhat premature to embark on any legislation for the regulation of sanitation in the villages of the Province. Without such legislation it is difficult to enforce the measures of regular conservancy, the prevention of excavations, and so on, which the Hon'ble Member recommends. For instance, if it were proposed that manure should be deposited only in certain places at a distance from the village site and not elsewhere, we could only enforce that by imposing a fine on those who, in contravention of such a regulation, stacked manure on their own premises.

"Well, there is the alternative procedure of rewards, and that was the procedure which Sir Dennis Fitzpatrick and Sir Mackworth Young decided should be adopted throughout the Province. District boards were invited to offer rewards to those villages in which sanitation was best observed. Well, after several years' experience of this plan, it was reported that it was more or less a failure, because very few villages in the Province were found really to deserve rewards. None of them were such that they could be entirely recommended. But apart from the general experiment thus made, we made a special experiment in the Canal Colonies. A sum of Rs. 25,000 per annum was set apart for rewards for sanitation in the villages. These villages in the first instance were constructed on sanitary principles with large compounds and broad streets, and each breach of the sanitary regulations was punished executively by fines under the colonies' system then in force, so that the experiment started under favourable conditions. The result of this offer of rewards was that only four or five villages in each district of the colony in which there were *sufed-poshes* or others who desired to bring themselves into the notice of Government competed for the rewards each year, but the great mass of the villages did not. They did not enter the competition; they saw it was no use. For the years in which the competition was in progress the sanitary condition of the selected villages was excellent. But in order to prevent all the rewards going to the same village year after year, a rule was passed that, after winning one prize, a village would be barred from further competition. It is most regrettable to have to say that those villages which had succeeded in getting a prize, after getting it, relapsed into their former insanitary condition. I think on the whole it cannot be said that the experiment of granting rewads was a success. At any rate, it was decided by Government that there was no justification for giving a sum of Rs. 25,000 annually out of the public exchequer at the expense of the general tax-payer, when the results were so poor, to the District Board of the richest district in the Province.

"The functions of the Sanitary Board are very definitely laid down in executive rules, and it is not empowered to adopt a procedure which is not authorised by these rules. The board considers all applications for grants-in-aid that reach it, and it advises on the plans and estimates of schemes that are sent up for its consideration, but it is not a part of its functions to go touring over the Province looking for objects of expenditure. One or two applications for grants for village wells in the last year did reach the Sanitary Board from

[*Mr. Fenton ; Mr. Sohan Lal.*]

the Ambala district board, and the result was that the district board was asked, in the first instance, whether they could not make the necessary allotments, and also whether there were any special reasons why these two villages should have wells constructed for them at the public expense, seeing that they were in a position to construct their own wells. All such applications have been and will be considered by the Board on their merits in accordance with the board's rules of procedure, and I do not think it is correct to stigmatise, as the Hon'ble Member does, the procedure of the Sanitary Board in relation to sanitary improvements as 'haphazard work'.

"Coming now to the financial portion of the resolution, if it is adopted of course the grant of 16 lakhs for sanitation would more than cover the 5 lakhs demanded for rural sanitation if objects of expenditure could be found. But the Government of India, I think rightly, have decided that the best programme in the matter of sanitation is the undertaking first of the sanitation of those places in which the largest aggregate of human beings are collected together and in which the state of education and hygienic knowledge being presumably most advanced, the chances of co-operation by the people themselves are greatest. Ultimately when all the large towns have been provided with water works and drainage works, we can come down to the smaller ones and endow them with similar amenities. But, as I have just said, it would be premature to attempt anything in the matter of the sanitation of the smaller areas until we can secure some co-operation from the people themselves, and it is for the minor municipalities to set an example in that respect to the larger villages.

"I think, therefore, Sir, both because it is undesirable to supersede the District Boards and because the existing provision for sanitation outside the sums ear-marked for urban sanitation will suffice to meet any expenditure that the Sanitary Board can legitimately sanction in the forthcoming year, I think that this resolution ought to be rejected."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL :—" With Your Honour's permission, I beg most heartily to support the resolution, which has been so ably and exhaustively moved and seconded by my Hon'ble friends, the Hon'ble Mr. SHADI LAL and the Hon'ble Rai Bahadur RAM SARAN DAS, and which has a close connection with question No. 9, put by me in to-day's meeting of the Council. I believe Hon'ble Members of this Council will agree with me, that education and sanitation are the two greatest needs of India at the present moment. Although there is a close connection between education and sanitation, it is difficult to determine their relative importance, but if I were asked to point out, which is the more important and urgent of the two, I would most unhesitatingly reply in favour of sanitation. It is now admitted on all hands that insanitary conditions are the root cause of all disease, and that plague, cholera, malaria and other such epidemics flourish only in those localities in which the laws of hygiene and sanitation are not observed. The most important question, therefore, which the Government and the people of this country have to solve is, how to combat these common enemies of humanity, which are slowly, but none the less surely, eating into the vitals of the people of this country, and are quietly sweeping away the flower of its population. I do not propose in to-day's meeting to lay before the Council vital statistics showing the appalling mortality and the high death rate in this Province, but will only content myself with saying that during the last ten years the number of deaths caused by plague, cholera, tuberculosis, malaria and other kindred diseases in the Punjab alone, is *greater* than the number of people killed in all the wars in the whole world put together, during the same period. Such being the facts, it is the common duty of the people and the Government to co-operate with each

[*Mr. Sohan Lal; Babu Gajjan Singh.*]

other in fighting disease and to concert measures whereby the ravages of death may be lessened. The educated section of the people are, no doubt, rising to a consciousness of the requirements of hygiene and sanitation, and with the improvement of drainage and water-supply, in some of the bigger towns of the Province, considerable progress has taken place recently. But the conditions in the villages and the smaller towns are still extremely unsatisfactory. In spite of the fact that the people in the villages possess several natural advantages, in the shape of having better climate, less congestion and more wholesome diet, mortality in the villages is much larger than in the towns, and the rural population succumbs more easily and rapidly to the ravages of epidemics than the people in the urban areas. The principal cause of this excessive mortality in the villages is their insanitary condition, due to want of proper drainage, water-supply and general cleanliness. It is often said, that the habits of the village-folk are responsible for this state of affairs, and that nothing can be done till the people undertake to help themselves. With all deference, I beg respectfully to differ from this view, and venture to urge that because people in the villages are steeped in rank ignorance and are not fully alive to the necessity of sanitation and cleanliness, it is all the more incumbent on Government to move in the matter and to take early steps in this direction. Moreover, improvement of water-supply, construction of drainage-works and other similar matters are beyond the power of individuals to undertake, and it is the function of the State alone to carry them out. I have every hope that Your Honour, who has during the last five years done so much for the people of the Punjab, will signalize the closing year of the tenure of your high office by ordering the enquiry asked for in the resolution. My friend, the Hon'ble Mr. SHADI LAL, has for this important purpose made a very modest demand of five lakhs of rupees only, and I am sure Government, with the present state of its finances, will be able to spare the amount without much difficulty. With reference to the learned remarks of the Hon'ble Mr. FENTON against the resolution which has been duly proposed and seconded, I need only say this much that the resources at the disposal of the district boards in the Punjab are so poorly inadequate to meet the demands against them that the district board is not in a position to entertain the vast proposal of combatting the epidemic breeding causes which exist in almost all the villages of the Province. If, however, in the opinion of the Council, the district board be the only and proper machinery for carrying on the project of this nature, the financial condition of the district board requires to be substantially strengthened by the Government before expecting any effective action in this behalf on the part of the district board. With these words I beg to support the resolution."

The Hon'ble Babu GAJJAN SINGH :—"Your Honour, as a representative of the rural population I consider it my duty to invite the attention of the Government to the most important question of the village sanitation. Government gives us liberal grants in aid of education, and there is no reason why public health should not be placed on the same footing as education.

"Your Honour, the persistence with which the plague is lingering in our midst has drawn pointed attention to the question of insanitary surroundings of the people and the faulty drainage and defective water-supply.

"Malaria and several kinds of fevers visit us almost every year and claim several thousands as their victims. Small-pox is fearfully raging this year and has proved fatal in many cases.

"Cholera, dysentery and several other diseases appear from time to time.

[*Babu Gajjan Singh ; Mr. Tollinton.*]

"In a very large majority of villages no medical help is available, and the ignorant peasant, as he generally is, is entirely helpless against these formidable foes.

"He should be told that it is to his own good to store the manure at a proper distance from his residental quarters.

"It should be brought home to him that the pond in front of almost every village gate is the nursery of the mosquitos which are the real cause of his malaria fever. Officially recorded mortality is going high almost every year. I strongly hope that the Government, who undoutedly has peasants' good at heart, will in future show a greater recognition of the claims of village sanitation on the resources of the State than it has done in the past.

"Your Honour, no real improvement in public health is to be expected unless vigorous efforts are made throughout the province to push on sanitation. Our peasants are undoutedly the back-bone of our finances, and I strongly urge that everything possible should be done to save their lives.

"After hearing the learned remarks of the Hon'ble Mr. FENTON, I do not think that I can support the first part of the resolution. The work can be entrusted to district boards, but their hands should be strengthened by grants from Government. I therefore support the second part of the resolution."

The Hon'ble Mr. TOLLINTON:—"Your Honour, I just wish to add a word or two to what the Hon'ble Mr. FENTON has said. I consider this resolution is bad for obscurity from start to finish. I have already said that it is certainly unwieldy, and it is inconvenient that the resolution should be divided into two parts, I consider that the first part could very easily have been moved without any connection with the Budget at all, and with regard to the second part I do not think the Hon'ble Member should be allowed to shuffle out of the exact wording of the resolution that a sum of five lakhs out of estimated expenditure under 'Medical, No. 24' be set apart for improving the sanitary condition of villages having a population of 2,000 persons or more. Presumably the Hon'ble Member wishes to reappropriate from the sum of 16 lakhs entered in the revised Financial Statement, under Sanitation and Vaccination, so that a portion of this grant may be diverted to rural sanitation. But the Government of India have after full consideration decided in favour of carrying out the policy of urban sanitation. The resolution is further obscure because the Hon'ble Member does not really tackle the question of rural sanitation. Rural sanitation is required all over the province in little villages having 100, 200 or 300 inhabitants, and not only in the case of larger villages what we may call *Kasbas*, so that if we accept the resolution it is really obscure, and I do not think that the Government will be able to take any action on the recommendation even if it is made.

"The question of the position of the Sanitary Board has been fully dealt with. I do not think I need add anything to it. I think that we in these days are in special need of guarding against thinking that the mere allotment of money for sanitation is the same thing as improvement of sanitation. The Hon'ble the Finance Member in the Imperial Council alluded to Sanitation and Education as twins of phenomenal development, but the allotment of money is really only a very small part of the question. I think that we should direct more attention to the maintenance of the existing sanitary works, and not only to grants for the new ones. A short time ago my attention was called to an instance in which Government had given a grant of Rs. 50,000 for a water-supply or a drainage scheme, and the work was made over to the charge of a dâk bungalow *mali* on Rs. 10 a month. It is not that we want more money, it is that we want real interest in sanitation, which would enable us to maintain the schemes we have already carried into effect. As a matter of fact

[*Mr. Tollinton; Mr. Muhammad Shafi.*]

we are asked to divert a sum of five lakh of rupees from urban sanitation to rural sanitation. Personally I think that there is no demand for rural sanitation at present. When education advances a little further there is no doubt that that demand will arise, but I do not think that we ought now to divert to villages what we have allotted to cities and towns. I should just like in this connection to read one or two remarks from an Indian Deputy Commissioner made in connection with the system of giving rewards for village sanitation. [Remarks read to the effect that the general body of the population of rural areas is apathetic in the matter of sanitation.]

"I therefore consider that the present resolution should not be accepted by the Council, first, because it is obscure and, secondly, because we are asked to divert from urban sanitation to rural sanitation so large a sum as five lakhs of rupees which I do not think should be done."

The Hon'ble Mr. MUHAMMAD SHAFI :—" I confess I am somewhat disappointed at the manner in which my respected friends the Hon'ble Mr. FENTON and the Hon'ble Mr. TOLLINTON have dealt with the important matter now before the Council. To put it very briefly, the whole argument underlying the very able speech to which we have just listened from the Hon'ble Mr. FENTON can be summed up in this manner. There is the district board and there is the sanitary board, and a great deal is being done Therefore the proposal embodied in this resolution is unnecessary. And so far as the argument of my Hon'ble friend Mr. TOLLINTON is concerned it may be summed up in these words. The resolution is obscure ; the Government of India have reserved 16 lakhs for a particular purpose, and there is no demand for rural sanitation. Looked at from every point of view there is, if I may say so with all due respect, no force at all in these arguments. My friend the Hon'ble Mr. TOLLINTON would have this Council reject this resolution because in his opinion there is no demand for rural sanitation. I venture to think that the argument thus put forward has no basis so far as facts are concerned and is, on *à priori* grounds, absolutely untenable. Would my learned friend not provide medical attendance to a patient suffering from a serious disease because the patient does not want it? Surely, to say that there is no demand for rural sanitation because the ignorant portion of our rural population, not being articulate and being dumb, are unable to express what they really do feel through the columns of newspapers or from public platforms, is entirely unsound. Well, Your Honour, I happen to belong to a rural tract. Not only do I belong to an agricultural class, but am Honorary Secretary of the Zamindar Association ; and though I have spent the best years of my life in Lahore, at the same time I started my practice in a mufassil district. I am in close contact, and have intimate acquaintance with the feelings and wishes of the rural portion of our population, and I say with all the emphasis at my command that this statement of my Hon'ble friend Mr TOLLINTON that there is no demand for rural sanitation is as a matter of fact incorrect. Then, as regards the argument that the Government of India have reserved these 16 lakhs for urban sanitation and in consequence it is not open to the Punjab Government to divert it to other purposes, all I can say is that this is too narrow a point of view to apply to such a vital need as that of improvement of rural sanitation. Sir, if I may venture to submit, a glance at page 3 of the revised financial statement which has been submitted to the Council to-day will show that at the end of 1911-12 we had in hand a closing balance of over a crore of rupees, and according to the revised estimates for 1912-13 we had a closing balance of very nearly two crores of rupees, and the Finance Member expects at the end of 1913-14 a closing balance of very nearly a crore and a half. Probably in the end, as I hope, he will find that the balance will amount to very nearly two crores. Well, I say, Sir, that year after year this successive accumulation of huge balances is entirely

[*Mr. Muhammad Shafi; The President.*]

opposed to principles of sound finance. If there is need of improvement of rural sanitation, I respectfully submit that Government should not refuse to supply that need merely because the petty sum of 16 lakhs of rupees which the Government of India have allotted to urban sanitation cannot be diverted to this purpose. Again, the Hon'ble the Finance Member has informed us to-day that the Government of India have now passed a rule that in future annual Imperial grants to Local Government shall not be ear-marked for a specific purpose, but that it shall be left to the Local Government to distribute the sum in accordance with their provincial needs. Well, Sir, in the face of this principle laid down by the Government of India it seems to me that it is rather too narrow a view for the Hon'ble Member to take that because the particular sum to which my Hon'ble friend the mover of the resolution has referred in the resolution is allotted for certain specific purpose, therefore this resolution cannot be favourably considered. Well, Your Honour, so far as the third argument put forward by the Hon'ble Mr. TOLLINTON is concerned, that the resolution is obscure, I for one find that the resolution is plain enough and clearly and specifically states what is intended by the mover; and so far as my mind is concerned the resolution appears to be absolutely clear in its intention as well as its meaning. Consequently I would submit to the Hon'ble Members of the Council that there is really no force in the arguments of my friend the Hon'ble Mr. TOLLINTON.

"Turning now to the very able speech to which we have listened with interest, as we are always accustomed to listen with interest to whatever falls from the Hon'ble Mr. FENTON, I say, with all deference, that there again the arguments which have been put forward are really untenable. Yes, there is the district board, and the Hon'ble Mr. FENTON will give me credit of admitting that I have never decried district boards, I have never looked down upon the members of the district bo rds as men who cannot discharge the duties entrusted to them as representatives of rural areas satisfactorily: but the district boards have multifarious duties to perform. The district boards are, moreover, unwiel y bodies. Sanitation and education have been declared by His Excellency Lord Hardinge, and very rightly so, as the two watchwords of the policy of the present Government, the two main aims which Lord Hardinge's Government has in view. And, in consequence, if the need is very great, if there is necessity for making efforts to improve the sanitary conditions of our rural areas, that object being particular, the object being immediate, what we want is special efforts to achieve the end in view. As I understand it, the main idea underlying the first part of the resolution is the association of the representatives of the people with the official members of this Committee in order to carry out the end in view. Now, Sir, this would serve two ends. The first —"

His Honour the PRESIDENT:—"Your time is nearly up."

The Hon'ble Mr. MUHAMMAD SHAFI:—"Your Honour, I will finish my remark within the time allowed. The first is that the opinion and wishes of the people would be explained to the official section of the Committee by the representatives of the people, and, secondly, the measures adopted to improve sanitation would be explained by them to the people themselves, so that there would be no misapprehension as regards the motives with which Government undertakes these measures. Your Honour will remember that in regard to the measures taken in connection with plague there was a considerable amount of misapprehension in the minds of the ignorant portion of the public, particularly in rural areas. Had there been advisory bodies consisting of official and non-official gentlemen I am perfectly sure such misapprehensions would not have been caused.

"As the time at my disposal is now coming to an end I regret I cannot say more. I have great pleasure in supporting the resolution."

[*Malik Muhammad Amin Khan; Mr. Mant; Khwaja Yusaf Shah; Lala Kashi Ram.*]

The Hon'ble Malik MUHAMMAD AMIN KHAN:—"Your Honour, I generally agree with the Hon'ble Member who has proposed this most important resolution. I think need for improving the sanitary condition of the villages is so apparent that no further remarks on my part are necessary. I would, however, in supporting the resolution, beg to add that persons fit for doing sanitation work are already members of the municipalities, notified areas and the district boards. It appears to me very difficult to find out extra men for this business. Special sub-committees may be formed from among the members of the above bodies and necessary official help be given to them. Any sanitation committee separate from these bodies will have, I am afraid, very little influence in order to do the sanitation satisfactorily."

The Hon'ble Mr. MANT:—"May I just offer a word of explanation. I think my remarks have been misunderstood by the Hon'ble Mr. MUHAMMAD SHAFI. As regards the ends to which the Imperial grants may be devoted, so far as I remember I only said that the Government of India have *partially* adopted the recommendation of the Decentralization Commission.

"They have given one grant of 12 lakhs in aid of our general resources, but the grant which they have given for sanitation and which has been under discussion to-day is not at the absolute disposal of the Local Government and cannot be diverted from the purpose for which it was given by the Government of India. Then again the Hon'ble Mr. SHAFI's reference to the accumulation of Provincial balances is quite irrelevant to this motion. The motion is not that extra money should be added to the budget for village sanitation. It is that 5 lakhs out of the sum provided under 24—Medical should be diverted to this purpose. I hope the Hon'ble Members will not vote for or against the motion unless they understand what they are voting for. It is, as the Hon'ble Mr. TOLLINTON has pointed out, a proposal to divert funds from urban to rural sanitation. I must say I did not quite follow the Hon'ble Rai Bahadur RAM SARAN DAS in putting forward the claims of Lahore whose interest he has so much at heart. These claims appear to conflict directly with the motion which the Hon'ble Member seconded, asking money for villages. That is what I think Hon'ble Members should understand before they accept this motion. It does not concern me personally, that is, as Finance Member, who gets the money. There is only one grant, and it is for the Hon'ble Members to decide who should get it—the larger towns or the rural areas."

The Hon'ble Khan Bahadur Khwaja YUSAF SHAH:—"We are all in favour of sanitary improvements no doubt, but the question I am afraid which stands in my way—I am not prepared to support the resolution put forward by my Hon'ble friend Lala SHADI LAL—is that the existing district boards and municipalities are quite competent to do the work. The only difficulty that lies in their way is lack of money. Give them money and they will do the work. I say Government is willing to spend money on sanitary improvements, and that money should be spent under the guidance of local officers. I do not think there is any necessity of accepting this resolution to form new bodies. I am therefore unable to support the resolution."

The Hon'ble Lala KASHI RAM:—"Your Honour, I will say a few words in support of the resolution, and in doing so, we might take up the question whether the resolution in any way contravenes the orders of Government which ear-marked the sum for urban sanitation. Your Honour, I have been for a long time a member of the Ferozepore municipality, and my experience of that municipality shows that there is always a large number of the rural population which is coming from the villages over to the towns for making purchases almost every day, and in some parts of the year probably that number is considerable, almost amounting to half the population of cities. Your Honour, if we are to

[*Lala Kashi Ram; Mr. Fenton; The President; Mr. Hari Chand.*]

neglect the villages, I may say we are injuring the larger towns. In recommending this resolution for Your Honour's consideration I am sure my friend, the proposer of the resolution, is really providing a very necessary part of the sanitation of the towns themselves. We cannot keep the population of the villages separate from the towns. We cannot prevent them from coming over to the towns in considerable numbers. I am sure if we carry out the sanitation of the towns, we shall be merely doing that duty half way if we neglect it. I would submit, on the other hand, that I do not think we would be going against the Government orders if we divert the 5 lakhs of rupees for the village requirements. The second point I wish to take up is whether the existing district boards are quite sufficient. Of course the Hon'ble Mr. FENTON has told us that there is a provision in the District Boards Act that the district boards should look to the requirements of sanitation and to other matters affecting the health of the industrial and agricultural population. But, Your Honour, I would submit that no statement has been placed before the Council showing if any of the district boards has spent a single pie on one particular village to improve sanitation. Your Honour will agree with me in saying that the district boards generally do not consider it a part of their duty to take up the sanitary improvement of any particular village.

The Hon'ble Mr. FENTON :—"I say for a fact that money has been spent."

The Hon'ble Lala KASHI RAM :—"Of course, I am speaking subject to correction. I do not know if any amounts have been spent by the district boards for the improvement of any particular village. That is my point. So far as my experience goes, of course I am acquainted with some of the villages in the Punjab; in Lahore and Ferozepore I know that no district board has taken up the question of improving the conditions of any particular village. Of course the district boards make roads and other things."

The Hon'ble Mr. FENTON :—"I say that the district boards have taken up the question of improving sanitation and have made grants."

The Hon'ble Lala KASHI RAM :—"Of course, I speak subject to correction. If that is the case, I withdraw my remarks on that point. I think I can place another fact for Your Honour's consideration in connection with this part of the resolution, that is, that the district boards are really meant for the improvement of the districts, and though they are like municipal committees entrusted with the sanitation of the villages, I do not consider that the district boards ever look upon their duties as such."

His Honour the PRESIDENT :—"I am very sorry to hear this."

The Hon'ble Lala KASHI RAM :—"The next point that I place before Your Honour is that if it was open to me to press an amendment, I would have certainly not supported my Hon'ble friend in limiting the improvement to villages with a population of 2,000 or more. What I would ask in connection with that amendment is to reduce the number to 500 instead of 2,000 inhabitants. With that amendment I am not at present concerned, because I do not consider that I would divide upon this subject, and because I know that on the point of principle I am in entire agreement with the resolution, and as such I support the resolution with all my heart."

The Hon'ble Rai Bahadur HARI CHAND :—"I beg to submit one word. I have heard the arguments for and against the resolution. I am at a loss to understand what is the function of the district boards. Is it not their duty to look after the sanitation of villages? If it is their duty, then the question is that they do not do their duty, and they should be asked to do their duty. I

[*Mr. Shadi Lal ; Mr. Mant ; Mr. Tollinton ; The President.*]

cannot understand what necessity there is of appointing another committee. Are they not representatives of the people that you say that some representatives may be appointed to associate with them ? Are not the members of the district boards representatives of the people ? If they are, then what necessity is there of appointing another committee ? Why should they not be asked to look after the sanitation of the villages and do their duty ? If they do their duty, I do no not think there is any necessity of another committee."

The Hon'ble Mr. SHADI LAL :—" Your Honour, many of my remarks have been anticipated by my friend the Hon'ble Mr. MUHAMMAD SHAFI. Therefore I do not want to go over the same ground again. There are one or two points which have been raised by the Hon'ble Messrs. FENTON and TOLLINTON, and I should like to say a few words about them. Mr. TOLLINTON thinks that this resolution is out of order because the Government of India have already sanctioned the grant for urban sanitation, and we are not in a position to divert the sum of 5 lakhs out of the grant for the sanitation of rural areas. As far as I understand the grant of the Government of India for urban sanitation is 12½ lakhs only, the remaining sum which has been provided for under the head sanitation in the budget is available for any purpose you like to devote it to. I submit that if we cannot get 5 lakhs of rupees, I am prepared to reduce the amount to 3 lakhs or even 2 lakhs."

The Hon'ble Mr. MANT :—" Is this an amendment of the resolution ? There are technical difficulties in moving the resolution."

The Hon'ble Mr. SHADI LAL :—" One is obliged to ask for a decision on a principle. As far as details are concerned they are not of much consequence. I am quite willing to give up details as to whether it is 5 lakhs or 3 lakhs or 2 lakhs. I do not see if the majority of the Members are in favour of the resolution why it should be defeated because there are technical difficulties in its way. That is the reason why I say, with Your Honour's permission, that the resolution should be put to the Council in two parts. That is a solution of the difficulty that has been pointed out by the Hon'ble Messrs. FENTON and TOLLINTON. With regard to the alleged obscurity of the resolution, I am afraid I have read the resolution over and over again, but I cannot find where the obscurity is. I should have liked very much if the Hon'ble Member had pointed it out."

The Hon'ble Mr. TOLLINTON :—" Even now we do not know what the resolution means."

The Hon'ble Mr. SHADI LAL :—" I can only say with all respect to my Hon'ble friend that a large number of the Hon'ble Members understand what the resolution is. I do not think that the wording of the resolution is so very intricate that the Hon'ble Member cannot understand it."

His Honour the PRESIDENT :—" Is Government to appoint the committee ?"

The Hon'ble Mr. SHADI LAL :—" As regards the constitution of the sanitary committee, I would say that the Deputy Commissioner should be the Chairman, and Government, if necessary, should appoint members, some of whom may be officials and some non-officials. That is a matter of detail, and I am not anxious about the details. My suggestions on that point are tentative. I fail to see how the constitution of the sanitary committee will go against the provisions of the District Boards Act. Practically speaking, the committee will be a sub-committee of the district board.

" As regards the suggestion which has been made by the Hon'ble Mr. KASHI RAM that he would like that the second part of the resolution should not be confined to villages which have a population of 2,000 or more, I would like to say that the object of the wording of the resolution in that way was that we should make a modest beginning. If it be possible to include other

[*Mr. Shadi Lal*; *The President.*]

villages in the scheme of sanitation, and if it can be effected without difficulty, I would have no objection that all the villages with 500 or more may have this committee; I would rather welcome that.

"Then it has been suggested that the district boards have already got powers to provide for sanitary needs of the population. Well, Sir, as regards this I may say there are a few solitary instances in which district boards have done something for the sanitation of villages. But the fact is that the district boards, as far as sanitation is concerned, have ordinarily failed to discharge their duties. They have not done their duty to the extent which they were expected to discharge it, and it is much better if we have a small sub-committee in each district consisting, as I have pointed out, of official and non-official members to discharge the very important duties of sanitation entrusted to them. My Hon'ble friend Mr. FENTON has pointed out to the Council that there is a large and bulky record dealing with sanitation. I am afraid the non-official members in a matter of this kind are at a disadvantage and not in a position to know what has been done or said on the subject. What we do know is that in spite of what has been said on paper practically nothing has so far been done to improve the sanitation of villages. That is an important matter to be considered.

"With regard to dividing the resolution into two parts, I would like to draw Your Honour's attention to the rules which exist on the subject. It is quite possible that some of the Hon'ble Members may agree with me as to one part of the motion and may not agree with me as regards the other part. I therefore request Your Honour to consider rule 23 on page 73 of the Council Manual [here reads the rule].

"In view of that rule I would request Your Honour to divide this resolution into two parts and take the opinion of the Council separately on them."

His Honour the PRESIDENT:— "With the object of the Hon'ble Member in putting forward this resolution, that is to say, to improve rural sanitation, I am quite certain that every Member in this Council must heartily sympathise. In order to elucidate the subject, which is a very difficult one, I am afraid that, as President of this Council, I have considerably strained the rules of procedure in allowing a very discursive discussion upon matters which were not always strictly relevant to the resolution put forward, because I was very anxious that every Hon'ble Member should have an opportunity of expressing his opinion. I thought that possibly out of a multitude of councillors we might derive wisdom.

"Now I should like first of all to point out that rural sanitation is not at all a new subject. While we all most readily adopt the motto the Viceroy has set before himself, the promotion of education and sanitation, it is hardly necessary, I think, to refer most of the Members of this Council to the fact that education and sanitation have always been the watchwords of Government as far as it was possible to carry them out. In carrying out these two most important matters, there are two points that have to be considered. First of all, funds, and, secondly, public opinion. Now Hon'ble Members must have seen from the financial statement which was put forward to-day that, until the last three years, the Punjab Government has been absolutely unable to take any great step forward either in the matter of education or sanitation, simply because it had no funds. That is why Mr. MANT, in introducing his financial statement, referred to the efforts that have been made to secure a more satisfactory financial position for the Province. I am glad to think that these efforts have been very successful, and I am very grateful to the Government of India for having met our reiterated representations, though at first they were not prepared to receive them favourably at all, and sent us back with what is vulgarly described as 'a flea in the ear' on more than one occasion. I am also very grateful to Mr. MANT for the manner in which he referred to such share as I may have had in placing the finances of the Punjab on a more satisfactory basis.

[*The President.*]

"We cannot now altogether plead bankruptcy in the matter of advancing education and sanitation; but unfortunately, as you will see from the Finance Member's statement, a great deal of the money that appears in this inflated balance is really capital, and the Government of India, while allowing us to put it into our balances, do not allow us to use it for recurring expenditure. Now I think that all you gentlemen are thoroughly well aware of the fact that a policy of doles is one that leads to an extraordinary desire on the part of the person to whom the doles are made for more doles and larger doles. As Local Governments we are always clamouring for larger doles. If we begin to make grants to District Boards for rural sanitation, it is perfectly certain that the district boards will become very clamorous and will be always calling for more, like Oliver Twist. Therefore, it is very desirable that, before we embark on a policy of this kind, we should consider exactly what we are going to do and the agencies through which we should do it, and how much money we have for our current expenditure. Now, if Hon'ble Members at the time of the Finance Committee had advanced a proposition this year that something should be given to district boards to enable them to make greater progress in rural sanitation, I am quite certain that the members of that committee would have considered it in the most considerate way and have done what they could. That was not done. Now we are asked to appropriate a portion of the budget, and as regards the total of the budget, by financial rules we are absolutely limited, we cannot vary it now that it has been once arrived at and sanctioned by the Government of India. We are asked to appropriate from the budget, as it exists, sums for an absolutely new head, that is, for rural sanitation, and it is a head which may become positively hydra-headed in that from every one of the hundreds of thousands of villages in the Punjab applications will be put forward for doles for this and the other sanitary object, and it will be almost impossible for this Council at any rate to deal with such applications. Therefore I think we must go very cautiously, and while I am in full sympathy with the wish of the Hon'ble Member who has proposed the resolution, and those who have supported him, to improve rural sanitation, I am not quite certain that I am entirely in accord with the form in which he has put his proposals forward.

"Now you have heard from the Hon'ble Mr. FENTON that the question of rural sanitation actively engaged the attention of the Government of the Punjab in the time of Sir Dennis Fitzpatrick and again in the time of Sir Mackworth Young.

"I may say that many proposals have been put forward by district officers who have tried to induce the people of the Punjab to take a livelier interest in the sanitation of their homes, but when the matter has been fully enquired into, I regret to say that it has almost invariably been found that the wish was the wish of the district officer and not the wish of the people themselves at all, and that the strongest opposition is offered generally to attempts to improve rural sanitation.

"The Hon'ble Mr. MUHAMMAD SHAFI rightly represents himself as a strong advocate of the claims of the zamindars, and urges that he himself is living in a rural area. Now that rural area, within the last 35 years to my knowledge, has almost developed into an urban area, and I am also aware that proposals have been on more than one occasion put forward to include that urban area in the comparatively important urban area adjoining it,—in the Municipality of Lahore,—with a view partly to sanitation and for other reasons. But these proposals have been strenuously objected to by the residents of Baghbanpura, which is the Hon'ble Mr. SHAFI's home. I do not know why; possibly it may be on account of the octroi; possibly it may be on other accounts; but it may possibly be that some of the residents have got an idea that, if they came within the municipality of Lahore, there would be that searching enquiry into sanitary affairs which characterises the operations of the leading municipality of the Province. For exactly the

[*The President.*]

same reason, when we try to deal with in a large *kasba* and apply some sanitary rules to it, or even make it a notified area, there is immediately an objection in almost every case, mainly on this very ground that they are a rural community and do not wish to be harassed by sanitary regulations. I can quote a recent case from the Karnal district, which is within my own knowledge. The Deputy Commissioner there, Major Buck, is a very active officer, and takes the keenest interest in the well-being of the people, especially in matters relating to medical relief and sanitation. He put forward a scheme for introducing certain sanitary measures in certain groups of villages. This of course required some special expenditure, and it was to be raised by a cess. Now when we went into this scheme and enquired from the villages what they really did want, it appeared that they were not keen on the matter at all, and certainly, in regard to any expenditure, they objected to it entirely. Now I only mention this case to show, what I venture to think, that at present it is not the case that there is any very keen desire on the part of the agricultural population for the introduction of rural sanitation. On the contrary, they are usually opposed to it. It is an unreasonable opposition, but it is a very strong opposition. We have got to combat that opposition ; we hope to do it by a great extension of primary education ; but in the existing state of things I am quite certain that if you introduced a strange committee going about the districts and making sanitary proposals for the various villages in that district, you would probably very soon arouse a swarm of bees of an exceedingly unpleasant character. That is one of the difficulties that we have to deal with in the matter of rural sanitation.

"Then, I observe that the Hon'ble Member very wisely has proposed to make a modest beginning by confining his operations to those villages with a population of 2,000 persons and over. Well, the Government of India have been even more cautious in their proposals than he has ; they propose to confine their operations to improving the sanitation of municipal and urban areas. And the question really is, how far down the scale are we to go ? Where are we to end ? Now, in the Punjab, very fortunately, owing to the fact that Sir Charles Aitchison was a very keen advocate of local self-government, we have a larger number of *quasi*-municipal towns than almost any other Province in proportion to our urban population. There are a great many notified areas, and some with a population of less than 2,000, which is the number Mr. SHADI LAL mentions. I think there are very few of what you might call *kasbas* in the Punjab which are not at the present moment provided with some form of municipal constitution. Consequently most of these areas with which the Hon'ble Member wishes to deal can be already dealt with adequately under the Municipal Act, if only funds are available. That is another question which Hon'ble Members might bear in mind in considering this very large subject.

"I would like to deal shortly with the agency proposed for the work. That in my mind is the greatest defect in the proposals of the Hon'ble Member, for which, in other respects, I have great sympathy. We have the district boards. The Hon'ble Mr. FENTON has shown you that, under the district boards Act, the district boards can do what is required, certainly as much as is at present necessary, because our efforts can only be tentative. I really do not see why it is necessary to supersede the district boards by appointing a committee in each district of other gentlemen, some of whom may be members of the district board, some of whom may not be. I can quite imagine that a great deal of friction would arise and a great deal of trouble would be caused by the independent action of such a committee. I should very much prefer that the Hon'ble Member should have recommended that the attention of district boards should be drawn to the necessity of taking more active measures to further the cause of sanitary reform, so far as it is possible at the present moment, by the appointment of sanitary sub-committees where such do not already exist and in such other ways as they may

[*The President.*]

consider desirable. That action I am quite prepared on behalf of Government to take, although it is not contemplated by the resolution. But I should not like to bind Government to accept a proposal that independent committees should be appointed in every district. I do not know by whom they would be appointed. I have asked the Hon'ble Member who is to appoint these committees, but I did not get any satisfactory answer. I do not like to accept a proposition that they should be appointed, because I think it would lead to friction, and I think it would be unfair to the district boards to prevent them from doing more than they have done in the past in the way of rural sanitation. Now district boards have recently had their revenues considerably increased, partly by the operation of the reassessments and partly by the ceding of the whole amount which hitherto they have paid to the Local Government as their 20 per cent. contribution. It therefore cannot be said that district boards at the present moment have no funds with which to take some steps in the direction of rural sanitation. I am also prepared to say that when the district boards have shown that they really mean to do something, and that they propose a scheme, or any district proposes a scheme, for rural sanitation which is approved by the Sanitary Board, it may be quite proper to make them a grant to meet the purposes which they have set forth in their scheme. But what I do not like is to say 'here is 5 lakhs'—perhaps as the Hon'ble Member is not particular, it might be 5, 3 or 2 lakhs. If anybody came to me and said 'here are 5 lakhs for you to spend,' I have no doubt I should have great pleasure in accepting the 5 lakhs. But that kind of thing leads to all sorts of financial trouble and extreme difficulty in future. I think that we should be very much better advised if we left it to the district boards to appoint their committees to consider the question of spending what they can, and then to come up to Government with some definite proposals showing the purposes for which they want the money. Doles are very demoralising, as the Hon'ble Finance Member has told you; they are exceedingly pleasant, but they are exceedingly demoralising. You do not know what you may be let in for, if you embark on lavish expenditure based upon the uncertain receipt of doles. Therefore I think it would be very wise, first of all, to do what I have now suggested, to call upon the district boards to take steps in this manner to appoint committees if necessary, where they do not exist, and then to work out schemes. And I am sure, if they work out really good schemes and show—and this is the most important part of it—that the people are willing to allow the schemes to be carried out, Government might very well then give them financial assistance.

"I should like to mention while on this point that the Hon'ble Rai Bahadur RAM SARAN DAS brought forward very prominently the claims of the Lahore Municipality, and he also rather severely criticised the ever-increasing balances due to our inability to spend the sanitary grant. Now it is within my personal knowledge that, for the last five years nearly, I have been urging upon the Lahore Municipality the construction of underground drainage I have offered on more than one occasion sums towards that object, but I regret to say that it is only within recent days that a scheme has been submitted: in fact the scheme has not yet reached me. First of all there was a great objection in the city to water-borne sewage. When there is an objection of that kind from a prominent municipality of the Province to a well considered scheme of sanitary reform, it is perfectly easy to imagine what the objections to sanitary measures are in the outlying villages. I am glad to think that the scheme has at last come in. I understand that it has been approved, and that it has been referred back to the municipality for further consideration of certain points. As Mr. TOLLINTON informed you, Government is fully prepared to make a contribution towards the cost of that scheme, but, as I have been pointing out here, there was no use in our going to the Lahore Municipality and saying: 'here are 15 lakhs, 10 lakhs, or 3 lakhs for you to spend; spend it.' The probability is that it

[*The President.*]

would have been spent in a way which would not have conduced to the greatest good of the community. Therefore we waited for the Lahore Municipality to produce its scheme, and when that scheme is approved, I can assure the Hon'ble Member that, out of this balance, a considerable sum will be given in support of the scheme. It would have been given this year, but for the reasons mentioned by Mr. TOLLINTON. We have already had to get rid of our sanitation funds, we have had to give out very large sums to the various municipalities, and it would not have been well for the arrangements of municipalities in working out schemes, if we had practically in every case to give out money before the schemes were worked out. A good deal of the remainder of the balance, such as it is, has been practically promised to the Multan Municipality for their water-supply scheme. I heard only yesterday that that water-supply scheme had been worked out and promises to be very successful, and I think it is extremely probable that a considerable sum, between 2 and 3 lakhs of rupees, will be made over to the Multan Municipality to carry out that work. So that Government is not neglectful of the interests of sanitary advance. The real difficulty is that all these urban sanitary schemes take a very long time to work out, and it is not so easy to construct a water-works scheme or a large system of urban drainage. If it is done without due consideration and in a hurry in order to get rid of the money, the result is that it is probably done exceedingly badly and has to be done over again.

"I have made these, I am afraid rather discursive, remarks in order to show Hon'ble Members that the interests of rural sanitation have not in any way been ignored by Government in the past. The difficulty before Government has been, first of all, want of funds. That to a certain extent has been removed, and we hope it may be removed permanently; and in the second place, and really it is the most important difficulty of all, the rural communities have really, not only not expressed any desire for improved sanitation, but actually opposed measures that have been suggested for particular villages.

"I daresay some Hon'ble Members, who have had to deal with settlements, have had the same experiences. In the course of two settlements I remember that I made suggestions to the people that we might deal with the disposal of the village sweepings in order to improve the sanitary condition of the village. It was always impossible to get it done. If you did get a condition inserted in the *wajib-ul-arz* that sweepings were to be placed beyond a certain range from the village, you would find that the rules they made themselves were ignored and sweepings were thrown close to the village, because it was more convenient for the sweepers to deposit them there, and it was more difficult for them to take them away to a distance.

"A very old experienced Indian officer once said to me 'there is a good deal to be said for the old system of Punjab administration, when every 25 years you came round with a settlement and stirred up everybody, and there was a fearful trouble, and then everybody went to sleep for twenty years and was very happy. Now there is a perpetual *charhai* going on. There is a *girdawar* who comes round, the Tahsildar comes round, the Veterinary Assistant comes round! And now you want to introduce a much more terrible agency,—a sanitary committee coming round to inspect them.' I quite agree that we must do it, but it must be done with great caution and in a quiet way. Thus in a very quiet way we have endeavoured to get the people more in touch with sanitary ideas by utilizing the Indian Medical Service officers and Assistant Surgeons and Sub-Assistant Surgeons who have been appointed for plague and malaria relief, which are very important sanitary measures in themselves. These men go round, they make sanitary suggestions in all the villages whenever they get an opportunity, for the improvement of well curbs, improvements to drainage, removal of piles of filth to suitable distances, and they also gain the confidence of the people by treating them free at their

[*The President ; Mr. Shadi Lal.*]

travelling dispensaries. We were the first Province, I believe, to start this system of travelling dispensaries on a large scale, and we have continuously kept it up with the most satisfactory result. We were the first Province to start a large plague establishment of this character ; we were the first Province, I think, to start a Chief Malaria Officer with his establishment and to start classes for the instruction of Assistant Surgeons, what I may call the Provincial sanitary staff, in the prevention and cure of malaria. So that it is not the case that the Punjab Government has neglected its opportunities in the matter of sanitation. We have done a great deal, and I am glad to think that, by the constant efforts of these gentlemen, who are always on tour throughout the Province, the people are, as I understand, beginning to think that some primitive or simple sanitary measures can be introduced in the villages.

"We have done more. I daresay some of you may have seen—I should strongly recommend your doing so; you would find it extremely instructive reading—the Sanitary Primer compiled by Major Perry, Chief Malaria Officer. It is a most useful book intended for primary schools and village people. It deals with village life in short stories. This has had a great success; it has been published in several dialects in this Province, and has been largely bought in other Provinces, and is now being illustrated by the pupils of the Lahore School of Art. It was brought out mainly with the view of trying to make some commencement in rural sanitation. Therefore, I think, from the explanation that I have given you, you will understand that, though it may not have been much talked about (and perhaps we might have said more about what we are doing in order that misconception might not arise), we have been doing, so far as funds permitted, a great deal for rural sanitation; and I am quite certain that in the future, now that funds are available, we shall do a great deal more. But, for the reasons that I have already given you, I do not think I can recommend you to accept this resolution, particularly because, as it stands, the first part is most undesirable and may lead to great friction between villages and district boards; and the second part binds us to give over a large sum of money for a purpose which is not yet clearly defined, and that large sum of money I do not believe at the present moment is available in the present budget.

"It is quite true that the Honble Member says 'give us what is over and above the Government of India grant for urban sanitation.' But, on the other hand, the Hon'ble Mr. RAM SARAN DAS demands 5 lakhs of rupees more for Lahore. If every Hon'ble Member is going to make a similar demand, there will be nothing left beyond urban sanitation. In fact the remarks of the two Hon'ble Members were rather self-suicidal. I am therefore quite prepared to draw the attention of district boards to the extreme desirability of taking more energetic and active measures to introduce a system of simple rural sanitation and to work out definite schemes for certain definite purposes; and, though I cannot bind my successor in any way, I can say this much, that I am quite certain that, if a district board comes up with a definite scheme and asks for a definite grant for a definite purpose, it will receive the fullest consideration by the Government for the time being."

The Hon'ble Mr. SHADI LAL:—"In view of the remarks Your Honour has made, I do not call for a division, and I withdraw the resolution."

The resolution was then withdrawn.

ADJOURNMENT.

The Council adjourned to **Friday, the 18th April 1913.**

LAHORE:
The 13th March 1913.

S. W. GRACEY,
Secretary, Legislative Council.

Appendix I.

MEMORANDUM BY THE FINANCE MEMBER.

PART I.

THE first part of this memorandum deals with the general financial situation of the province in the current and ensuing years.

2. In connection with the recommendations of the Royal Commission upon Decentralization an important change has been effected in the financial relations between the Local Government and the Government of India. In the Finance Department Resolution No. 27 F., dated 18th May 1912, the Government of India declared that the provincial settlement of the Punjab will in future be permanent and not subject to revision, except in the event of the fixed assignment from Imperial Revenues becoming unduly large, when it will ordinarily be converted, either in whole or in part, into a share of growing revenues. Further, in case of serious famine the question of assistance from the revenues of the Government of India will be considered, and the Government of India on their side reserve the right to call for assistance from Provincial revenues in the event of grave embarrassment in their own finances. The Government of India also retain control over the provincial budgets. Their corrections in these budgets will in future be restricted to divided heads and the totals of revenue and expenditure; but a Local Government will not be allowed to budget for a deficit unless it satisfies the Government of India that the excess expenditure is due to an exceptional and non-recurring cause. The Government of India will moreover fix a limit for ordinary *plus* fresh recurring expenditure and will take care to ensure its observance.

3. In the resolution of the Government of India in the Finance Department, No. 249 E. A., dated 15th July 1912, certain enhanced powers have been conferred on the Local Government in regard to the remuneration of officers, the creation of appointments, and the revision of establishments. These powers hardly affect the financial situation except in so far as they may tend to increase expenditure by removing or relaxing one of the checks which previously restricted it.

4. The above changes have placed a greater responsibility on the Local Government for the stability of its finances, and have enhanced the necessity of keeping the growth of expenditure within the limits of expanding revenue. It is especially necessary to bear this limitation in mind at the present time when the Provincial revenues are being temporarily raised by receipts from land sales which are of the nature of capital. The Local Government has for some time been seeking a means of investing these receipts for the future benefit of the province, and thus avoiding the danger of their being utilized to raise the standard of current expenditure. The most prudent course would be to apply this abnormal income to the reduction of Provincial debt, and accordingly the Lieutenant-Governor recently formulated proposals for paying off the debt due to the Government of India on the Provincial Loan Account. Loans and advances are made from this account by the Local Government to local bodies, land-holders, cultivators and others, and Provincial revenues are credited with the interest received. Those revenues are at the same time debited with any sums which it may be necessary to write off as irrecoverable, and are charged interest at 3½ per cent. on the outstanding balance of the account. Although the Local Government generally recovers interest at higher rates than 3½ per cent., these transactions as a whole have been a source of loss and not of profit, owing to the considerable amount of bad debts which have been written off. During the five years ending with 1911-12 the average outstanding balance of the Loan Account was Rs. 68,16,000 and the interest charged to Provincial revenues averaged Rs. 2,36,180 per annum. The Lieutenant-Governor hoped that by redeeming this debt he would be

able to save the province a large annual expenditure on interest. The Government of India have, however, rejected the proposal mainly on the ground that the general cash balances in the country vest in the Government of India, and that the Provincial balances merely represent a credit on which Local Governments are allowed to draw, but which they are not entitled to invest. The sales of land formerly held on tenant right in the canal colonies, and the consequent extinction of annual receipts from rent, must therefore be regarded as financially unprofitable to the Local Government, and it can only hope to make good a small part of the loss by various forms of remunerative expenditure. A beginning is being made by incurring capital expenditure on (1) residences for officers and buildings for other public requirements, which will bring in rent or extinguish payments at present made on account of rent or allowances, (2) irrigated plantations and other improvements in Government forests, and (3) Provincial Irrigation Works, such as the Namal Dam.

5. The separation from the Punjab of the area occupied by the Delhi province has affected the estimates under various heads both on the revenue and the expenditure side. The net result to the provincial finances has not yet been fully worked out, but it will eventually be neutralised by means of a lump recurring assignment under the land revenue head. No assignment has, however, been provided for in the revised or budget estimates on this account because the difference between the revenue which the Punjab will lose and the expenditure which it will save from the transfer cannot at present be accurately estimated.

6. Turning now to the figures, the following table gives a broad outline of the general financial position :—

	1911-12.		1912-13.		1913-14.
	Revised. (Rs. 1,000).	Actuals. (Rs. 1,000).	Budget. (Rs. 1,000).	Revised. (Rs 1,000).	Budget. (Rs. 1,000).
	Rs.	Rs.	Rs.	Rs.	Rs.
Opening balance ...	69,75	69,75	97,04	1,03,73	1,90,09
Revenue ...	4,30,16	4,37,52	4,20,13	5,15 34	4,46,38
Expenditure ...	4,02,87	4,03,54	4,49,37	4,28,98	4,90,25
Closing balance ...	97,04	1,03,73	67,80	1,90,09	1,46,22

7. It will be seen that the actual revenue and expenditure in 1911-12 exceeded the revised estimates framed a year ago by Rs. 7,36,000 and Rs. 67,000, respectively, the net result being an increase of Rs. 6,69,000 in the balance with which the current year opened. The extra revenue was realized mainly under the heads *I—Land Revenue* and *XXV—Miscellaneous*. Rupees 3,91,500 is accounted for under the former head by a greater demand than was anticipated on the part of tenants in the canal colonies to purchase their holdings during the last month of the year. Under *Miscellaneous* the actual receipts were Rs. 2,08,000 above the revised estimate on account of unclaimed deposits, an item which is very difficult to estimate. On the expenditure side the excess was mainly due to lapses in the Public Works Budget having been smaller than was anticipated.

8. Notwithstanding the loss of half a year's income from the Delhi province, the revised estimates of revenue in 1912-13 show an advance on the budget of Rs. 95,21,000. The variations are explained in detail in the second part of the memorandum, and it is only necessary here to refer to the heads under which the revised estimates show a large difference. The increase of Land Revenue, excluding assignments, but including the portion credited as an indirect receipt under *XXIX—Irrigation*, amounts to Rs. 18,26,000. The crops on which the ordinary revenue of the year was collected were on the whole

above the average, and the result is an increase of Rs. 7,12,000 in fluctuating collections. The revised estimates also anticipate an increase of Rs. 10,99,000 under the *Sale of Government Estates*, under which head, as explained last year, a moderate estimate was taken in the budget.

9. The portion of the land revenue credited under the head *XXIX—Irrigation* shows an increase of Rs 8,03,000 because the budget did not take sufficient account of enhancements on the Lower Chenab and Lower Jhelum canals. This increase is slightly discounted by a reduction of Rs. 98,000 under *Direct Receipts* (Civil) owing to the absorption of owners' rate in the enhanced land revenue rates.

10. The revised estimate of land revenue assignments omits, for reasons explained below, an item of Rs. 5,56,000 to supplement the net revenue from irrigation, but it includes Rs. 2,35,000 as subventions to the Punjab University, Rs 2,50,000 for the improvement or erection of hostels, and an addition of Rs. 75,000 to the recurring grant for educational purposes. It also includes further lump grants of Rs. 25,25,000 for Education, Rs. 14,50,000 for Sanitation, and Rs. 12,00,000 for other objects to be selected by the Local Government. The net result of these and other minor alterations is an advance of Rs. 51,82,000 on the budget estimate.

11 The increase of Rs. 81,000 under *IV—Stamps* is mainly due to greater litigation. Under *V—Excise* the revised estimates show an advance of Rs. 3,00,000, notwithstanding the loss of revenue from the Delhi Province. The greater part of this advance is due to a change in the method of bringing receipts from vend fees to account. The auctions of licenses for the vend of country spirits are usually held in February, and it has hitherto been the practice to hold advance instalments in deposit until the following financial year. This practice has now been stopped, and in future all receipts will be credited in the accounts as soon as they are received. As a consequence of this change, the vend fees credited in the current year will represent 14 instead of 12 months' receipts. The steady increase in excise revenue, apart from the above change, continues to receive the anxious consideration of Government. The question of raising the still-head duty on country spirit has been held in abeyance, because it has been represented to Government that the result, under present conditions, would inevitably be to stimulate illicit distillation. The Local Government is prepared to make strenuous efforts to prevent this result, but the success of such efforts cannot be assured unless the hands of the administration are strengthened by the imposition of more severe penalties for excise offences. An Excise Bill will shortly be introduced in the Legislative Council, providing for more deterrent punishments, and, when this Bill is passed, the Government will be in a position to proceed more vigorously against what is admittedly a grave evil.

12. The increase in the revised estimates of Rs. 1,26,000 under *XXV—Miscellaneous* is mainly due to the sale of the old Kotwali in Lahore City. Under *XXIX—Irrigation—Public Works*, the very large increase of Rs. 22,57,000 is anticipated. The year has been an exceptionally good one for the canals. When the early winter rains fail altogether, the rabi cultivation is restricted to such an extent as actually to reduce the demand for canal irrigation; when, on the other hand, rain is copious in February and March the crops are matured on large areas without the aid of the canals. The rabi of 1911-12 struck the happy mean from the point of view of the Irrigation Department, and the early withdrawal of the monsoon of 1912 in the greater part of the Province enhanced the demand for canal water in the cultivation of the kharif crop also. The result is that for the first time since the current Provincial Settlement was framed, the net revenue of the year is expected to be considerably in excess of the guaranteed minimum. The budget provided for an Imperial assignment of Rs. 5,56,000 to make good the deficit below the guaranteed minimum of

41 lakhs. The revised estimates, after allowing for a considerable increase of expenditure on special repairs, convert this deficit into a surplus of Rs. 10,69,000 above the guaranteed minimum. These figures indicate a very bright prospect for the future of the Provincial finances. In the memo. on the Financial Statement of two years ago it was observed that the Irrigation Branch of the Public Works Department then calculated that the net revenue from irrigation would not rise above the guaranteed minimum until the year 1916-17. Thereafter it was expected that the rise would be rapid owing to the completion of the Triple Project. Work on that project has been expedited, and some revenue is being derived from the Upper Chenab Canal in the current year ; but by far the greater part of the increase is being obtained from the older canals. When the revenue from the latter source shows such remarkable power of expansion, it is not unreasonable to hope that the return from the new canals will ultimately prove considerably in excess of present expectations.

The only major head under which the revised Estimates show a large decrease is *IX—Forests*, where the falling-off amounts to Rs. 1,41,000. This is mainly due to a glut in the market for firewood owing to extensive fellings in the Lower Bari Doab with a view to canal irrigation. Consequently several contractors have failed to fulfil their engagements with the Forest Department.

13. On the expenditure side the only heads under which a noticeable advance on the budget is anticipated are 18—*General Administration*, where the increase of Rs. 71,000 is due to certain liabilities incurred in connection with the Coronation Darbar ; 19-*B—Jails*, where the excess (Rs. 1,13,000) is accounted for by an increase in the jail population and by the conversion of the Lahore District Jail into a Central Jail ; 22—*Education*, where an advance of Rs. 4,74,000 has been rendered possible by special grants from Imperial revenues ; 32—*Miscellaneous*, where a saving on unforeseen charges is more than counterbalanced by the writing-off of an outstanding loan to the late Dera Ghazi Khan Municipality ; and 42—*Irrigation* (*Public Works*), where the large increase of Rs. 4,42,000 is mainly due to special works and repairs and to a rise in collection fees, consequent on higher receipts. There is also an increase of Rs. 1,02,000 in interest charges owing to acceleration of expenditure on the Triple Project.

14. The revised estimates show considerable decreases under various heads. Under 3—*Land Revenue* the reduction of Rs. 2,92,000 occurs mainly under *District Administration*, where the transfer of Delhi and other causes have led to savings in salaries and contingencies, and under *Survey and Settlement*, where requirements were over-estimated in the budget. Under 19-*A*—*Courts of Law* the reduction of Rs. 1,02,000 is chiefly due to the transfer of Delhi charges and to delay in the introduction of the scheme for District and Sessions Judges. The reduction of Rs. 4,13,000 under 24—*Medical* is due to various causes as explained in the second part of the memorandum. About 6½ lakhs from the Imperial assignments for sanitation have been distributed to local bodies in aid of various schemes, the chief of which are sanitary improvements at Delhi (Rs. 1,45,000), sewage at Amritsar (Rs. 2,20,000), intra-mural drainage at Rawalpindi (Rs. 1,50,000), and water-supply at Sialkot (Rs. 1,00,000). But rather more than 3 lakhs have been carried forward till next year, because various other schemes, to which it seems *prima facie* desirable to devote the money available, have not yet been fully worked out. It is to the true interest of sanitation that these large sums should not be expended without the most careful consideration, and especially that large works should not be started until it is clear that the local bodies concerned will be able to carry them out and to maintain them in proper order when they are completed.

The decrease of Rs. 2,00,000 under 26 *Scientific and other Minor Departments* is mainly accounted for by lapses in the provision made from the Imperial grant for agriculture and allied objects. The construction of a new Veterinary College has been delayed, and the money provided for its equipment will consequently not be spent in the current year. Various other projects to which it was intended to devote this grant have also had to be deferred till next year.

15. The largest lapse is, as usual, anticipated under 45 – *Civil Works*. The decrease of Rs. 1,17,000 on works in charge of Civil Officers is almost entirely accounted for by the transfer to the Public Works Department of the provision of Rs. 1,00,000 made for expenditure on the new town of Dera Ghazi Khan. As regards works in charge of the Public Works Department, the reduction made by the Accountant-General in the revised estimate amounts to no less than Rs. 20,05,000. This high figure is partly due to the fact that the provision made in the budget for public works was unusually liberal, and the spending officers have not been able to work up to it. But the main reason is that the budget included various schemes which had not been fully worked out. The province has not yet cast off the traditions of the period of quinquennial Financial Settlements. During that period it was to the interest of the Local Government to spend freely, because the average expenditure of each quinquennium was generally made the basis for the next settlement. After the introduction of the *quasi*-permanent settlement from 1st April 1905 the incentive to extravagance still remained, partly because the duration of the settlement was uncertain, but mainly because the province was not provided with sufficient revenue to meet its growing expenditure, and there was consequently a yearly scramble for such funds as were available. When a head of a department knows that his demands will not be fully met, he is naturally inclined to magnify them in order to get as much as he can, and, what is far worse, he tries to spend up to the budget provision for fear that sums unspent may not be regranted in the ensuing year. These conditions have been entirely altered by the institution of a permanent settlement, and it may be hoped that, when the effect of this alteration is realized, the spending departments will only put forward schemes which have been fully considered and on which the funds provided can be spent during the year. The following are the principal lapses anticipated during the current year :—New Civil Secretariat, Rs 4,00,000 ; Veterinary College, Rs. 2,00,000 ; wheat elevator at Lyallpur, Rs. 1,50,000 ; Sutlej bridge, Rs. 1,50,000 ; Beas bridge, Rs. 1,47,000 ; laboratory for the Lahore Government College, Rs. 1,00,000.

16. The budget for next year, after allowing for the severance of the Delhi Province, provides for a normal growth of revenue under most of the principal heads. Under *I—Land Revenue*, excluding assignments, but including the portion credited to Irrigation, a decrease of Rs. 18,35,000 is anticipated as compared with the Revised Estimate for the current year. This is partly due to the reduction of arrears of ordinary revenue, but mainly to a falling off in receipts from sales of land in the canal colonies. It is very difficult to frame even the Revised Estimates of these receipts with any approach to accuracy because the largest demand for purchase arises towards the end of the financial year. Thus, in 1911-12, out of a total of Rs. 57,35,000 received from sales to peasant grantees no less than Rs. 26,05,000 were paid in during the last month of the year. The Revised Estimates for 1912-13 allow for a recurrence of large sales this March, which would reduce the area available for sale next year; but if, owing to uncertainty as to the prospects of the rabi crop or for any other reason, buyers hold back at this season, the budget for next year will very possibly prove to be an under estimate.

17. Under *Land Revenue Assignments* the decrease of Rs. 15,34,000, as compared with the Revised Estimate, is mainly due to the absence of the special grants given by the Government of India this year for educational,

sanitary and discretionary purposes. The budget includes, however, recurring assignments of Rs. 3,38,000 for education, Rs. 4,00,000 for sanitation, and Rs. 2,08,000 to compensate Provincial Revenues for the loss of contributions hitherto recovered from district boards. Under *V—Excise* the increase due to normal growth and to the enhancement of the issue price of excise opium is counterbalanced by the loss of Delhi revenue and the absence of the extra two months' fees for the vend of country spirits taken into account in the Revised Estimate.

Under *IX—Forests* a recovery of Rs. 79,000 is expected, as a better market for fuel seems probable next year. Under *XXI -Scientific and other Minor Departments* the increase of Rs. 77,000 is due to the transfer to the Local Government of the cattle farm at Hissar Under *XXV—Miscellaneous* the reduction of Rs. 4,76,000 is mainly accounted for by the remission of contributions from district boards, estimated at Rs. 4,10,000. This is made good to Provincial Revenues by the assignment of Rs. 2,08,000 referred to above and a reduction of Rs. 2,02,000 in the expenditure under 45—*Civil Works (Civil)* on various annual grants made by Government to the boards.

18. Under *XXIX—Irrigation* the direct receipts collected by civil officers are almost wiped out by a reduction of Rs. 1,87,000 owing to the absorption of owner's rate in enhanced land revenue rates on the Lower Chenab Canal, and the same process is the main cause of the increase of Rs. 1,22,000 under *Indirect Receipts*. As regards direct receipts collected by Public Works Department officers a revenue of about 5 lakhs is expected from the new Upper Chenab Canal, and there will be some receipts on the Lower Bari Doab Canal to be opened on the 12th April, but the total receipts show no advance on the Revised Estimate, because, as explained in paragraph 12 above, the current year has been exceptionally favourable for the old canals, and it would not be safe to assume that equally good conditions will prevail in 1913-14.

19. On the expenditure side the Budget Estimates anticipate savings under various heads from the transfer of Delhi and provide for progress on established lines, especially in matters of education and sanitation. Only the following heads call for particular notice:—Under 11—*Forests* provision is made for special expenditure on the resin factory at Shahdara, on irrigated plantations, and on various other developments of forest property, resulting in a total increase of Rs. 2,03,000. Under the present system of accounts in the Forest Department no distinction is made between capital and other outlay, so the surplus for any particular year does not give a reliable idea of the financial results of the year's working. The Conservator has now been instructed to maintain *pro formâ* accounts which will show separately expenditure chargeable to revenue and that which, under ordinary commercial principles, would be debited to a capital account. It should then be possible to calculate with some approach to accuracy what return is being obtained from expenditure on forest properties. The decreases of Rs. 82,000 under 18—*General Administration* and Rs. 1,00,000 under 19 *B—Law and Justice—Jails* are mainly due to the absence of the special expenditure referred to in paragraph 13 above. The increase of Rs. 2,50,000 under 20—*Police* includes provision for a proposal to substitute police for watchmen in a number of minor municipalities and notified areas. The liability for the cost of all municipal police was assumed by Government with effect from the 1st April 1911, and, if the above proposal is carried out, the cost of this addition to the police force will also be met from general revenues.

20. Under 22—*Education* the budget estimate exceeds the revised by Rs. 11,46,000, and shows an advance over the actual expenditure in 1911-12 of a little over 90 per cent. This rapid increase has been rendered possible by the large grants made by the Government of India. The objects to which these grants will be devoted will be explained by the Member in charge. Under 24—*Medical* further grants from Imperial revenues have enabled provision to be made in the budget for an expenditure of Rs. 1,31,000 in excess of

the revised estimate. The phenomenal growth of expenditure under this head can best be illustrated by comparison with the actual outlay in 1910-11, on which the budget estimate for 1913-14 shows an advance of 102 per cent. The greater part of the increase is incurred on grants to local bodies for sanitary purposes. Under 26—*Scientific and other Minor Departments* the increase of Rs. 5,14,000 as compared with the revised estimate is mainly due to provision for expenditure from Imperial grants for agriculture and allied objects, and to the provincialization of the Hissar Cattle Farm.

21. Under 45—*Civil Works* (*Civil*) provision is made for an increase of Rs. 2,00,000 in the grants to District Boards for feeder roads. When certain roads, previously maintained by Government, were made over to the boards in 1910 an annual grant of Rs. 3 lakhs was made for their up-keep. This grant was increased to 4 lakhs in 1911, but it has recently been represented that many boards are still unable to keep the roads in proper repair. A special addition has accordingly been made in next year's budget, and the requirements of each division in this respect are under investigation. At the same time the general resources of the boards have been strengthened by the measure referred to in paragraph 17 above. A lump contribution of 20 per cent. on the local rate has been paid to Government for many years in consideration of various services which it has undertaken on behalf of the boards, and on the other hand Government has made grants to the boards for meeting expenditure incurred by them on the services in question. It has now been decided to abolish these cross contributions, and the net gain to the boards is estimated at Rs. 2,08,000 per annum.

22. Under 45—*Civil Works* the budget estimate for expenditure to be incurred by the Public Works Department exceeds the revised estimate by Rs. 34,97,000. This large increase is partly due to the slow progress on many important works commenced in the current year, which will be carried to completion next year. The flourishing state of the Provincial finances has also enabled provision to be made for a number of new projects, and money has been freely provided for all works which will bring in a reasonable return or reduce recurring charges. Thus Rs. 6,50,000 have been provided for quarters for police officers who are at present located in hired buildings or given house allowances in lieu of free quarters, and it is also proposed to build or purchase residences for Government officers at various stations where accommodation is not available at reasonable rates. The general rise of land values in the Punjab will probably necessitate further action in this direction. Landlords as a rule are ready to deal liberally with high officials, but it is obviously undesirable that the latter should place themselves under obligation to private individuals by paying rents at anything below market value. For officials generally the steady growth of house rent is a serious matter, and must eventually be met by higher pay or local allowances. The construction of residences by Government will probably prove to be in many cases the most economical way of meeting the difficulty. The acquisition of house property is also a sound form of investment for the surplus Provincial balances. A steady return on capital is assured, because the officers for whom houses are provided are made responsible for the rent, and there is every probability of a future increase in the value of the land. In Lahore, where the rise of rents is most pronounced, a large building scheme is under consideration. The scheme, which will probably require the sanction of the Secretary of State, has not yet been fully worked out, but three lakhs are provided towards it in the budget mainly for the acquisition of land. In other Provincial capitals, such as Calcutta, Bombay and Rangoon it has been found necessary to grant house allowances in view of the high rents prevailing. In Lahore it is hoped that the grant of such allowances, which can never be a final solution of the problem, may be avoided by providing residences for a large number of officers on a rental not exceeding ten per cent. on their salaries. Provision is also made in the budget for a number of other projects, the chief of which are specified in the second part of

the memorandum, and four lakhs have been included for expenditure from the lump grant of 12 lakhs made by the Government of India for such other schemes as may be deemed to be most necessary with reference to the special requirements of the province.

23. The net result of the budget is a total expenditure of Rs. 4,90,25,000 against a revenue of Rs. 4,46,38,000, *i.e.*, a deficit of Rs. 43,87,000. On the revenue side the receipts from sales of Government estates, estimated at Rs. 13,21,000, and non-recurring assignments aggregating Rs. 1,70,000, may be classed as abnormal, while on the expenditure side provision is made for utilizing Rs. 28,96,000 out of various non-recurring grants from Imperial Revenues. After deducting these items on either side of the account there remains a deficit of Rs. 29,82,000; but, as the public works portion of the Budget under 45—*Civil Works* exceeds the actual expenditure of 1911-12 by Rs. 41,04,000, the deficit may be attributed entirely to special works, and it may fairly be concluded that the normal revenue of the province is now sufficient to meet the present standard of expenditure. A large reserve has also been built up, mainly from the proceeds of land sales, and the year 1913-14 is expected to close with a balance of Rs. 1,46,22,000. After deducting Rs. 26,88,000 earmarked for special purposes, and the prescribed minimum of Rs. 10,00,000, the balance available for general purposes amounts to no less than Rs. 1,09,34,000.

24. As this is the last budget that will be presented during the *régime* of the present Lieutenant-Governor, it may be of interest to give a brief comparison of the figures for 1913-14 with the actual revenue and expenditure of 1907-08, the year immediately preceding his term of office. The totals of revenue and expenditure are shown in the following table :—

—	1907-08.	1913-14.	Increase in 1913-14.
	Rs.	Rs.	Rs.
Opening balance	54,07,000	1,90,09,000	1,36,02,000
Revenue	3,09,21,000	4,46,38,000	1,37,17,000
Expenditure	3,33,30,000	4,90,25,000	1,56,95,000
Closing balance	29,98,000	1,46,22,000	1,16,24,000

Out of the increases in receipts and charges, Rs. 35,02,000 and Rs. 24,71,000 respectively, are attributable to the revision of the Provincial Settlement on the 1st April 1911. The net gain to Provincial Revenues from this revision may thus be taken at Rs. 10,31,000 in 1913-14. The land revenue collected in 1907-08 was abnormally low because the early withdrawal of the monsoon necessitated large suspensions; but, after allowing for adverse conditions, almost every head of revenue shows an increase in 1913-14, and the improvement is most marked under the large growing heads of Land Revenue, Stamps, Excise, and Irrigation. The financial position has, moreover, been greatly strengthened by the conversion of a large fixed assignment into growing revenue. On the expenditure side there are large increases, apart from the changes in the Provincial Settlement, under Law and Justice, Police, Education, Medical, Scientific and other Minor Departments, Irrigation, and Civil Works. The increase under the last head, after allowing for contributions to local bodies (Rs. 7,30,000) which were

credited under a separate head in 1907-08, amounts to Rs. 50,41,000, and this is perhaps the most striking indication of the change that has come over the financial fortunes of the province. At the same time the closing balance, which in 1907-08 only amounted to Rs. 29,98,000, although it included Rs. 14,53,000 from Imperial grants for Simla improvements, has risen to Rs. 1,46,22,000, thus providing a very large reserve against future needs.

25. The second part of this memorandum, which was drafted by Mr. Parsons, Under-Secretary, Financial, explains the estimates of revenue and expenditure under the various major heads and also the important variations under minor heads. Following the usual practice it does not separate the Provincial from the Imperial share under divided heads, but deals only with the gross figures.

PART II—INCOME.

I.—LAND REVENUE (EXCLUDING THE PORTION OF LAND REVENUE TRANSFERRED TO XXIX—IRRIGATION).

(1) In spite of an addition of 16 lakhs to the credits given to XXIX—Irrigation, the revised estimate for 1912-13, under Land Revenue proper, exceeds the sanctioned budget by Rs. 20,4 ,000. The loss of the receipts from the Province of Delhi during the second half of the year is expected to deprive provincial revenues of nearly one-and-a-half lakhs, but the effect on fixed collections has been almost effaced by good harvests, and elsewhere the budget, which allowed for the recovery of 11 lakhs of arrears, is likely to prove too low. Fluctuating collections show an increase of 14¼ lakhs, principally due to the extension of the new settlement in the Chenab Colony. The main increase occurs, however, in the sale of Government estates. Though colonists have not come forward to purchase land in Jhang with the eagerness which they have shown in other districts, an excess of 22 lakhs over the budget estimate is now anticipated under this sub-head.

The budget for 1913-14 contemplates a reduction of Rs. 39,15,000 in the figure of the revised estimate. There is a fall of 4½ lakhs in fixed collections, partly due to the fact that the effect of the separation of the Delhi Province will be felt for the whole year, and partly because outstandings are now small as the result of recent years of prosperity. There is also a decline of over 3½ lakhs in the estimate of fluctuating collections, while the extensive purchase of proprietary rights in the colonies during the last two years has absorbed much of the available land, and a decrease of Rs. 28,36,000 occurs in the sale of Government estates. There is a further increase of 2½ lakhs in the amount transferred to the credit of the Irrigation Department.

(2) The net revenue from Irrigation is for the first time likely to exceed the guaranteed minimum of 41 lakhs, and the item of Rs. 5,56,000 on account of the guarantee entered in the current year's budget under the sub-head "assignments" accordingly disappears from the revised estimates. Grants of Rs 2,35,000 for the Punjab University and Rs. 3,25,000 for the erection of hostels and other educational objects have, however, been received in the course of the year: and further assignments of Rs. 25,25,000 for education, Rs. 14,62,000 for sanitation, and twelve lakhs for general purposes have recently been announced. The result of these and minor variations is a net increase of Rs. 51,82,000.

The absence of the large non-recurring grants made this year accounts for a decrease of Rs. 45,34,000 in the budget for 1913-14. Their loss is partially discounted by additional assignments of Rs. 11,48,000 now promised by the Government of India. Agricultural development and medical relief receive non-recurring subventions of Rs. 1,20,000 and Rs. 50,000, respectively, while grants of Rs. 3,38,000 for education, Rs. 4,22,000 for sanitary purposes, and Rs. 2,08,000 to relieve district boards of the 20 per cent. contribution from the local rate are the principal recurring items.

IV—STAMPS.

The original estimates for 1912-13 have now been enhanced by Rs. 1,62,000. The increase occurs mainly under the head "Sale of Court-fee Stamps," and may perhaps be attributed to the fact that prosperity and litigation go hand-in-hand. The failure of the short-lived Shadi funds has caused a decline in the receipts from "duty on impressing documents."

Allowing for the loss of income from the Delhi Province, a normal growth of Rs. 38,000 is anticipated in the revenue of 1913-14.

V—EXCISE.

Although a loss of one lakh is incurred by the transfer of the Delhi Province to the Government of India, the revised estimates for 1912-13 show an improvement of 6 lakhs over a budget which was admittedly cautious. License fees account for an increase of Rs. 5,73,000, of which somewhat less than a lakh is the outcome of keen competition at the auction of liquor shops. The balance of the enhancement is caused by an alteration in the system of dealing with the two months' advance fees taken from successful bidders, which is described in the first part of the memorandum. The figures of the revised estimate, therefore, include advance fees recovered both in February 1912 and February 1913, and represent the income of fourteen months from this source.

The growing popularity of excise opium has led to larger consumption, and the estimated gain from its sale has been raised by Rs. 32,000 in the revised.

The price of this opium will be raised generally to Rs. 20 a ser from the 1st of April 1913, and an additional income of Rs. 1,20,000 is expected on this account in the coming year. This increase and the ordinary growth of excise revenue will, it is anticipated, counterbalance the loss of income from the Delhi Province, and the fact that license fees will be credited for twelve months only. The budget for 1913-14 accordingly repeats the revised estimate.

VI—PROVINCIAL RATES.

The small increase of Rs. 5,000 which appears in the revised estimates for the current year, and in the budget for 1913-14, is based on actual realisations, and calls for no special remark.

VIII—ASSESSED TAXES.

The reduction of Rs. 49,000 in the revised estimate is due to the separation of the Delhi Province. The full effect of this will be experienced in 1913-14, but additional receipts in consequence of special assessments suggest a small increase of Rs. 7,000 in the budget.

IX—FORESTS.

The development of the resin factory at Shahdara has been less rapid than was expected, while the low price of firewood in the Lahore and Multan divisions and the adoption of the group method of felling in the Bashahr division have also affected receipts under this head. The revised estimate for 1912-13 falls short of the budget by Rs. 1,41,000.

A recovery of Rs. 79,000 is expected in 1913-14. Extensive sales of fuel are anticipated in the forests of the Sharakpur range, which are being made over to the Irrigation Department: and there is a likelihood of enhanced receipts from the resin factory.

X—REGISTRATION.

The increase of Rs. 22,000 in the revised estimate occurs mainly under the detailed head "Fees for registering documents," and is attributed to the large sales of proprietary rights to colonists in Lyallpur and Gujranwala. The loss of income from Delhi accounts for the reduction of Rs. 10,000 which has been made in the budget for 1913-14.

This is a small but slowly expanding source of revenue. The necessity for registering documents may be expected to increase with the development of the Province on its commercial side.

XII—INTEREST.

Interest recoverable during the last half of the year from the Delhi Municipality, and for the whole year from the defunct municipality of Dera Ghazi Khan, has now been omitted : and its absence is the chief cause of a drop of Rs. 43,000 in the revised estimate. But there was also an over-estimate of interest on takavi loans.

A further decline of Rs. 23,000 is anticipated in the budget for 1913-14. The interest from loans in Delhi will be lost for the whole year, and favourable agricultural conditions in 1912-13 have led to repayments of takavi advances.

XVI-A—LAW AND JUSTICE—COURTS OF LAW.

Present realisations from magisterial fines and Record Room receipts indicate an increase of Rs. 35,000 in the revised estimate.

The normal expansion of revenue under this head is discounted in the budget for 1913-14 by the loss of the Delhi receipts, and a slight reduction of Rs. 10,000 is anticipated.

XVI-B—LAW AND JUSTICE—JAILS.

The hire of convict labour for excavation work on the Lower Bari Doab Canal having been discontinued from August last, the receipts on this account have fallen by Rs. 20,000 in the revised estimate, and a further decline of Rs. 23,000 is anticipated in the budget for 1913-14. Jail manufactures for Government departments, a steadily expanding source of revenue, partially neutralise this decrease in the latter year.

XVII—POLICE.

The rise of Rs. 36,000 in the revised estimates is distributed over all heads, but is chiefly the result of enhanced recoveries on account of punitive police, and additional contributions from local bodies for cattle-pounds transferred to them, under the new contracts which have been made this year. A set-back of Rs 15,000 is contemplated in the budget of 1913-14, where a guarded estimate has been adopted under "Recoveries on account of Punitive Police" owing to the uncertain character of the receipts.

XIX—EDUCATION.

The small addition of Rs. 8,000 in the revised estimate is due to the receipts of the Engineering School at Rasul, for which the sanctioned budget did not provide.

The income from the Lawrence Memorial School at Murree, which it is proposed to provincialise, accounts for the increase of Rs. 35,000 in the budget for 1913-14.

XX—MEDICAL.

Enhanced sale of vaccine lymph is expected to produce an extra Rs. 5,000 in both 1912-13 and 1913-14.

XXI—SCIENTIFIC AND OTHER MINOR DEPARTMENTS.

The increase of Rs. 77,000 in the budget estimate for 1913-14 is due to the inclusion of receipts from the Hissar Cattle Farm, which will be provincialised with effect from next April.

XXII—RECEIPTS IN AID OF SUPERANNUATION.

The increase calls for no special comment.

XXIII—STATIONERY AND PRINTING.

In order to prevent inflation of accounts no credits or debits are now raised by the Jail Department for lithographic printing paper obtained from the Stationery Office, Calcutta, and supplied to other departments. There is consequently a fall of Rs. 23,000 in the revised estimate, and a further decline of Rs. 20,000 in the budget for 1913-14: but this is counterbalanced by corresponding reductions in the expenditure head 30—Stationery and Printing.

The decrease in the revised estimate is partially discounted by additional receipts of Rs. 9,000 from the Civil Secretariat Press.

XXV—MISCELLANEOUS.

The revised estimate is Rs 1,26,000 better than the sanctioned budget. In a good year the Government share of the land rate has advanced Rs. 9,000: but the chief increase appears under "Sales of land and houses" where an unforeseen credit of Rs 93,000 has been obtained from the sale of the Lahore Kotwali.

The absence of this special item, and of the whole income from the Delhi Province, accounts for some part of the fall of Rs. 4,76,000 in the budget for 1913-14. This is due, however, to the extent of Rs. 4,10,000 to the remission of the contribution of 20 per cent. of the local rate hitherto paid by District Boards. Provincial revenues have been compensated for the loss incurred on this account by an assignment of Rs. 2,08,000 from the Government of India, and by the resumption of grants totalling Rs. 2,02,000 previously made to District Boards.

XXIX—IRRIGATION—MAJOR WORKS.

The decrease of Rs. 1,96,000 in the revised estimate under Direct Receipts—Civil is entirely due to the abolition of owner's rate in the Gugera and Rakh Branches of the Lower Chenab Canal Colony. As the announcement of new assessments proceeds, the revenue from this source will continue to dwindle, and a further reduction of Rs. 3,73,000 takes place in next year's budget.

The figures now available point to an increase of over 45 lakhs in the direct receipts in charge of Public Works officers. The year has been exceptionally favourable for irrigation, and there has been an extension of the area watered by almost all canals.

Next year will bring in the first receipts from irrigation by the Upper Chenab Canal. These are expected to reach 5 lakhs and there will also be some income from the Lower Bari Doab Canal, to be opened on the 12th April : but this increase will probably be counterbalanced by a falling off in the receipts from the old canals, and the budget for 1913-14 therefore repeats the revised estimate.

Indirect Receipts (being the portion of land revenue due to irrigation transferred from I—Land Revenue) show an improvement of over 16 lakhs in the revised estimate. This is attributed to the enhanced rates of assessment now in force on the Lower Chenab and Lower Jhelum Canals, and is based on current realisations. A further increase of nearly 2½ lakhs is anticipated in the budget from the same cause.

XXX—IRRIGATION - MINOR WORKS AND NAVIGATION.

The addition of Rs. 5,000 to the receipts from Public Works in the revised estimate, and the budget for the ensuing year, is the result of extended irrigation by the Shahpur Provincial Canals.

XXXI—CIVIL WORKS.

The revised estimate is Rs. 36,000 below the sanctioned budget. Smaller sales of Government school sites at Gujrat, where most of the land has been disposed of, and reduced contributions from local bodies for ferries, as the result of the quinquennial revision of contracts, are the principal factors in the decrease. A recovery of Rs. 13,000 is anticipated next year, chiefly under "Tolls" and "Sale of Land and Houses."

Expenditure.

1—REFUNDS AND DRAWBACKS.

Call for no special comment.

2—ASSIGNMENTS AND COMPENSATIONS.

The reduction in the provincial expenditure occurs under "Pensions in lieu of resumed lands," and is caused by deaths. The budget repeats the revised estimate.

3—LAND REVENUE.

The revised estimate for the current year contemplates a reduction of Rs. 2,92,000 in expenditure, distributed over all important heads of account. The charges of district administration have fallen by Rs. 1,13,000, chiefly under General establishment. The provision of Rs. 28,000 for raising the pay of certain appointments in the Punjab Commission has not been utilised, and savings in salaries elsewhere have exceeded the lump deduction made for this purpose in the budget. The transfer of the Delhi Province to the Government of India last October has relieved provincial finances of about Rs. 25,000; and the present rate of expenditure points to considerable decreases in travelling allowances and contingencies.

Survey and settlement charges have fallen by Rs. 1,35,000, owing to Settlement Officers having over-estimated their requirements. There is a decrease of Rs. 44,000 under Land Records due to savings in kanungo and patwari establishments.

The budget estimate for 1913-14 foreshadows an enhancement of Rs. 49,000 on the revised figures of 1912-13 as the result of numerous variations in detail. Further relief will be given by the transfer of the Delhi

Province for the whole year, but in spite of this there is a rise of Rs 1,17,000 in the charges of district administration. Provision has been made under this head for the creation of a new tahsil at Jaranwala, at a cost of Rs. 6,000, and for sub-divisions at Sonepat and Ballabgarh in the enlarged Rohtak and Gurgaon districts. Opportunity has also been taken of the favourable financial outlook to inaugurate several much-needed schemes for the improvement of the pay and *personnel* of the district staff. Funds have accordingly been allocated for an addition to the number of Extra Assistant Commissioners at a cost of Rs. 50,000 and for raising the pay of the lowest grade of Tahsildars from Rs. 150 to Rs. 175 per mensem, which is that enjoyed by 3rd grade Munsifs. The latter measure will absorb Rs. 16,200; and over Rs. 6,000 have also been provided, under Land Records for extra patwaris and kanungos in the Shahpur, Gurdaspur and Hoshiarpur districts, which are at present undermanned.

The growth of the charges under these heads is, however, counterbalanced by a fall of Rs. 1,20,000 in the cost of survey and settlement. The Gurdaspur settlement has been finished and that of Kulu is nearly at an end; while in Dera-Hamirpur, Hoshiarpur, Ferozepore, Amritsar and Gujranwala it will be possible to effect considerable reductions of establishment as measurement approaches completion. Other variations do not call for special notice.

6—STAMPS.

The small increases in the revised estimate for 1912-13 and the budget for 1913-14 are anticipated under the head "Stamp paper supplied from Central Stores," expenditure under which is fluctuating.

7—EXCISE.

Additional expenditure has been incurred in the current year on detective establishment and on the appointment of probationary Excise Sub-Inspectors to provide a reserve for training, but this has been more than covered by savings under a number of other heads.

The pay of the detective establishment for the whole year accounts for Rs. 3,000 of the increase in the budget, and special expenditure of Rs. 2,500 is contemplated on the Charas Agency at Leh.

10—ASSESSED TAXES.

Calls for no remarks.

11—FORESTS.

Trucks for the Changa Manga Tramway (Rs. 5,000), reboisement at Pabbi (Rs. 3,500), fencing the Kot Lakhpat plantation (Rs. 9,000), and olive cultivation (Rs. 5,000) are the most important schemes for which fresh expenditure has been sanctioned this year. Their cost has been more than counterbalanced by savings in other directions under "Conservancy and Works," in which a reduction of Rs. 9,000 is now indicated: but higher establishment charges have led to a net increase of Rs. 25,000 over the sanctioned budget. Salaries were under-estimated, and the major part of the lump deduction of Rs. 40,000 on this account has had to be restored.

Of the enhanced expenditure of Rs. 2,03,000 expected next year, Rs. 1,73,000 falls under "Conservancy and Works." A large part of this outlay may be classed as productive. Rupees 40,000 are allotted for the purchase of new plant for the resin factory at Shahdara, and Rs. 20,000 for irrigated forest plantations. An extension of fuel works in the Lahore and Simla divisions is contemplated, and funds are also provided for the construction of roads in the Rawalpindi and Bashahr divisions. Minor works absorb over Rs. 40,000.

Increments of the salaries of gazetted officers and the filling of vacancies in the Rangers' cadre account for a growth of Rs. 30,000 under "Establishment."

12-REGISTRATION.

The small reduction shown in the revised estimate for 1912-13 is mainly due to the absence of the charges on account of the Sub-Registrar of Delhi and his establishment for half the year. There is a further saving from this cause in 1913-14, but the budget provides for an increase in the pay and number of registration clerks and for additional peons for Sub-Registrars.

13-INTEREST ON ORDINARY DEBT.

The reduction of Rs. 44,000 in the revised estimate is due to the omission of interest on loans and advances in the Province of Delhi, and on the balance of the loan to the Dera Ghazi Khan Municipality, which has been written off. The small decrease in the budget for 1913-14 calls for no remarks.

18-GENERAL ADMINISTRATION.

The revised estimate for 1912-13 shows an increase of Rs. 71,000 over the sanctioned budget. Expenditure of Rs. 81,000 on the Coronation Darbar at Delhi will be adjusted in the current year; this figure includes the cost of replacing furniture destroyed by the fire in the Punjab Camp, for which Rs. 50,000 were entered in the budget estimates. An increase of Rs. 9,000 is expected in expenditure from the Lieutenant-Governor's contract allowance, due entirely to tour charges: and leave allowances have led to an increase of Rs. 4,000 in the expenses of the Lieutenant-Governor's staff and household. The recent appointment of a committee to investigate the requirements of clerical establishments in Government offices accounts for most of the increase of Rs. 36,000 in the "Civil Secretariat." Among minor alterations, savings of Rs. 2,500 under "Establishment" and Rs. 1,700 under "Travelling allowance" of the Local Funds Audit office alone call for remark.

The budget for 1913-14 anticipates a reduction of Rs. 82,000 on the revised estimate. The omission of expenditure in connection with the Coronation Darbar, and smaller outlay on the Clerical Establishments Committee, whose labours are expected to end early next year, are the main factors in the decrease: there is also a drop of Rs. 12,000 under tour charges, in expenditure from the Lieutenant-Governor's contract grant. Provision has however been made in the estimates for special expenditure of Rs. 8,000 on Government House and Barnes Court, and the cost of Local Fund Audit shows an increase of Rs. 10,000, principally owing to the entertainment of an extra audit group.

19-A-LAW AND JUSTICE-COURTS OF LAW.

The budget for 1912-13 has been reduced by Rs. 1,02,000 in the revised estimate. The withdrawal of the charges for all courts in Delhi during half the year is calculated to effect a saving of approximately Rs. 70,000; and the proposals to create District and Sessions Judges, and to improve the pay of certain appointments in the Punjab Commission, for each of which Rs. 28,000 appeared in the budget, have not been introduced this year. There is also a fall of Rs. 10,000 in the charges for conducting Government suits. As a partial offset to these reductions, the cost of the Chief Court has increased

by Rs 28,000 owing to the retention of the seventh Judge and his establishment for the full year, instead of for five months only: and the prevalence of crime has led to additional expenditure of Rs. 15,000 on fees to Public Prosecutors, and of Rs. 17,000 under "Supplies and Services" of criminal courts chiefly for diet and road money to witnesses.

Leave allowances account for most of the increase in the Chief Court estimates for 1913-14, in which provision is made for a seventh Judge through of the year. Rupees 68,000 have been included for the scheme for District and Sessions Judges, and there is a normal growth in other charges. These additions neutralise the further savings on Delhi courts and the absence of provision for an additional temporary Divisional Judge. The final result is a small increase of Rs. 20,000 in the total charges under this head.

19-B – LAW AT JUSTICE – JAILS.

In spite of an estimated saving of Rs. 17,000 in expenditure on the Delhi Jail during the latter part of the year, the sanctioned budget has now been raised by Rs. 1,13,000. The increase is mainly attributed to the conversion of the Lahore District Jail into a first class Central Jail and to enhanced expenditure on dietary charges, owing to a steady rise in jail population and high prices of food stuffs.

A fall of one lakh is anticipated in the budget estimate for 1913-14. This occurs to a large extent on dietary charges, the stocks now held being large. Establishment charges also show a decrease owing to the conversion of the Rohtak and Jhang District Jails into sub-jails, and the abolition of the temporary Camp Jail at Montgomery. To the latter cause is ascribed a rise of Rs. 11,000 in the cost of raw materials for jail manufactures, as intra-mural employment has now to be given to convicts previously engaged on canal excavation works. Among other variations it is only necessary to notice a provision of Rs. 9,000 for providing means of subsistence for prisoners on their release from jails.

20—POLICE.

The revised estimate is Rs. 40,000 below the sanctioned budget for 1912-13. The saving in "District Executive Force" caused by the transfer of Delhi is estimated at Rs. 95,000, but additional expenditure of Rs. 55,000 has been incurred under this head on "Petty Construction and Repairs," chiefly on repairs to Police buildings taken over from municipalities. The only other important variation is a decrease of Rs. 11,000 under Special Police, owing to the appointment of Commandant, Baluch Levy, remaining vacant.

The budget for 1913-14 forecasts a rise of Rs. 2,52,000 in expenditure. Proposals for the substitution of town-watchmen by Police in certain towns are now under the consideration of Government, and two lakhs have been entered in the budget for this object. Rupees 25,000 are also allotted for initial repairs to Municipal Police buildings, and Rs. 28,000 are required to meet the cost of policing the new Jullundur Doab, Jullundur-Hoshiarpur and Jakhal-Hissar Railways, and for additional Police in the Lahore district in connection with the formation of a railway colony at Mughalpura. The normal growth of charges in other directions counteracts further savings from the separation of the Delhi Province.

22—EDUCATION.

Expenditure on education during the current year is expected to exceed the original estimate by Rs. 4,74,000. The increase is entirely due to the utilisation of the special subventions received from the Government of India in the course of the year. Rupees 2,35,000 have been handed over to the

Punjab University, and the assignments for the erection of hostels and for general educational purposes have in most part been distributed among District Boards as grants-in-aid, or spent through their agency under "Government Schools—General." In some directions there have been savings. The lump provision of Rs. 45,000 for reorganising the Provincial and Subordinate Educational Services will not be spent this year, and effect will not be given till 1913-14 to the provincialisation of the Lawrence Memorial School at Murree, for which the budget provided Rs. 50,000: the cost of salaries and supplies and services of Government Colleges has fallen by Rs. 21,000. Expenditure of Rs. 38,000 will, however, be incurred under this head on the Engineering School at Rasul, which has been transferred from the Public Works Department.

The budget for 1913-14 provides Rs. 75,000 for the provincialisation of the Lawrence Memorial School; Rs. 60,000 for equipment of the Mayo School of Art and new Government high schools; and Rs. 30,000 for relieving District Boards and Municipalities of the cost of maintaining secondary schools. There is increased provision of Rs. 10,000 for scholarships. Improvements are also contemplated in various Educational Services. Rupees 27,000 are allotted for additions to the inspecting staff, Rs. 30,000 for the revision of the Subordinate Educational Service and smaller sums for allowances in the Provincial Educational Service and for increased pay to Superintendents of Boarding Houses. These and minor schemes practically neutralise the absence of the special items of expenditure, for which funds have been given in the current year, and the whole of the increase of Rs. 11,46,000 over the revised estimate is due to the inclusion of a portion of the special assignments for educational purposes recently announced by the Finance Member in the Imperial Legislative Council.

24—MEDICAL.

The reduction of Rs. 4,13,000 in the revised estimate is distributed over all important heads of account, but occurs chiefly under Sanitation. It has not been found possible to utilise Rs. 2,32,000 out of the portion (Rs. 8,82,000) of the Imperial assignment for sanitary improvements which appeared in the budget, and savings have also accrued here by the abolition of the system of giving rewards for sanitation to villages in the Chenab Colony. Relief has been given to Provincial revenues by the transfer to the Government of India of the cost (Rs. 27,000) of the two Civil Surgeons at Simla; and the provision of Rs. 25,000 for the purchase of quinine lapses, as the account of the quinine distributing agency is now adjusted under "Advances." Plague has not been severe, and the progress of expenditure accordingly suggests a reduction of Rs. 70,000 in the grants made for medical purposes. Small savings in other directions make up the rest of the decrease.

The special grant of six lakhs made this year to the Research Institute at Kasauli disappears from the budget for 1913-14, and only Rs. 3,08,000, the balance of the Imperial assignments previously made for the improvement of sanitation, is included, as against Rs. 6,50,000 in the revised estimate. On the other hand, provision is made for improving sanitary services at the cost of one lakh, for a further grant of Rs. 25,000 to the Women's Medical Hospital at Ludhiana, and for expenditure of Rs. 8,000 on relieving District Boards of the charges in connection with the registration of births and deaths. Rupees 5,000 each are allotted for improving the training of midwives, and towards the cost of a Rabic Hospital at Kasauli. Minor variations cancel one another, and these figures would indicate a budget of Rs. 19,43,000. Nine and a quarter lakhs have, however, been entered for expenditure from the medical and sanitation grants recently announced by the Government of India; and the budget shows an increase of Rs. 1,31,000 over the revised estimate.

26—SCIENTIFIC AND OTHTR MINOR DEPARTMENTS.

Provincial expenditure has been reduced by two lakhs in the revised estimate for 1912-13, the main decreases taking place in "Agriculture" and "Veterinary and Stallion charges." Rs. 40,000 have been allotted in the course of the year for the reclamation of *kallar*-infected lands in the Chenab Colony, and Rs. 11,000 for watering mounds in the Agri-Horticultural Gardens in Lahore: expenditure of Rs. 13,000 will be incurred on the development of pisciculture. It has not, however, been found possible to utilise on matured schemes a large part of the lump sum of Rs 1,25,000 provided for the development of agriculture: and, in spite of re-appropriations to meet the cost of projects appearing under other heads, Rs. 78,000 are now expected to remain over for expenditure next year, out of the portion (Rs. 2.25,000) of the Imperial assignment for agricultural and allied objects included in the original estimates A decrease of Rs. 11,000 is also anticipated in the cost of agricultural experiments. The provision of Rs. 1,20,000, for the equipment and revision of the staff of the Veterinary College, Lahore, will not be required this year, and the pay of two new Professors at the College, for which Rs. 10,000 were entered in the budget, will be classed as Imperial expenditure. The settlement in the current year of claims in connection with the Badshahi Mela at Delhi accounts for a rise of Rs. 38,000 under "Public Exhibitions and Fairs," and Rs. 8,000 have been allotted for cataloguing the Indo-Greek and Mughal coins of the Central Museum, Lahore. The only other variation of importance is a decrease of Rs. 15,000 in expenditure on the Minto Park, Lahore.

The budget for 1913 14 provides Rs. 20,000 for grants to Salvation Army settlements and Rs. 25,000 for the development of pisciculture. The increase of Rs. 5,14,000 is, however, due almost entirely to—

(1) the inclusion of the balance (Rs. 2,53,000) of the Imperial assignment of four lakhs made in 1911-12 for the development of agriculture, and of a new grant of Rs. 1,20,000 for the same purpose made by the Government of India in the current year;

(2) the inclusion for the first time of charges on account of the Hissar Cattle Farm, estimated at Rs 1,40,000. This institution will be provincialised from the 1st April next, and the expenditure is partially counteracted by an increase in the corresponding revenue head.

29—SUPERANNUATION ALLOWANCES AND PENSIONS.

The decrease of Rs. 92,000 in the revised estimate for 1912-13 is due to the omission of charges paid in Delhi during the last half of the year. Full allowance has been made for these charges in the budget for 1913-14, and the increase of Rs. 37,000 represents the normal growth of this head of expenditure.

30—STATIONERY AND PRINTING.

The revised estimate for 1912-13 stands at Rs. 57,000 below the original estimate. The decrease is partly due to the alteration in the method of debiting lithographic paper received by Jail Presses, to which reference has already been made in the remarks under XXIII—Stationery and printing. There is a reduction of Rs. 17,000 in the charges for printing at Private Presses, job work being now undertaken, when possible by the Government Press at Lahore, and a drop of Rs. 42,000 under "Supplies and Services" of Jail Presses. Provision, however, is now made for the purchase of a mono-type machine for the Civil Secretariat Press at a cost of Rs. 14,000.

The reduction in the budget for 1913-14 is mainly due to the absence of this special item. Other variations are unimportant

32—MISCELLANEOUS.

The revised estimate has been adopted at Rs. 5,27,000, an excess of Rs. 1,01,000 over the sanctioned budget for the year. The increase is due almost entirely to the necessity of writing off the unpaid balance of the loan to the defunct Dera Ghazi Khan municipality, which amounted to Rs. 1,94,000. Pending the result of the investigations now being made by the Clerical Establishments Committee, the provision of Rs. 60,000 for improving the pay of clerks has not been utilised; and the larger part of the sum of Rs. 50,000 provided for unforeseen charges has now been transferred to other heads of expenditure.

One lakh has been entered for unforeseen expenditure, and Rs. 80,000 for the reorganisation of clerical establishments in the budget estimate of 1913-14 These additions are more than counterbalanced by the absence of the special charge for the repayment of the Dera Ghazi Khan loan: and the net result is a decrease of Rs. 8,000 as compared with the revised estimate.

36—REDUCTION OR AVOIDANCE OF DEBT.

Calls for no remark.

42—IRRIGATION—MAJOR WORKS.

The sanctioned budget for Working Expenses has been enhanced by Rs 8,85,000 in the revised estimate. Additional expenditure of Rs 4,41,000 is now anticipated on maintenance and improvements, attributed to the repitching of the inner slopes of the Upper Bari Doab and Western Jumna Canals, to the construction of silting tanks on the Lower Chenab Canal, and to extensive special repairs. Establishment charges have risen by over three lakhs, chiefly owing to an increase in collection fees on the Upper Bari Doab Canal, as a consequence of the growth in income, and to the employment of a full staff on the Sirhind Canal. The purchase of tramway plant for the head-works of the Sirhind and Lower Chenab Canals is the principal cause of increased miscellaneous expenditure of Rs. 1,36,000.

The budget estimate for 1913-14 repeats the revised estimate for the current year.

With the progress of construction of new canals, interest charges have risen by Rs. 2,04,000 in the revised estimate, and a further increase of Rs. 4,72,000 is expected in 1913-14.

43—MINOR WORKS AND NAVIGATION.

Less expenditure than was anticipated under "Grants-in-aid for Irrigation Works" is the main cause of the drop of Rs. 19,000, in the case of works under the charge of Civil Officers. The budget for 1913-14 under this head allows for increased expenditure on the Gurgaon bunds, and on petty construction.

Minor variations have led to an increase of Rs. 12,000 over the figures of the sanctioned budget in expenditure on works carried out by Public Works officers. The budget for 1913-14 provides one lakh for the Kahan Hill torrent reservoir.

45—CIVIL WORKS.

The revised estimate for Civil Works in charge of Civil Officers shows a decrease of Rs. 1,17,000, chiefly due to the fact that the lump provision of one lakh for works in Dera Ghazi Khan has been transferred to the Public

Works budget. There is also a reduction of Rs. 10,000 in the cost of petty construction and repairs, and grants to local bodies are less by Rs. 10,000 than was originally anticipated.

Additional expenditure of Rs. 1,50,000 is contemplated in 1913-14 on works in Colony towns, and the budget also provides a further sum of two lakhs for the construction and maintenance of feeder roads; Rs. 10,000 is included for a payment to the Rana of Koti which was not drawn this year. But grants to district boards will be reduced by Rs. 2,02,000 as a partial off-set to the remission of the 20 per cent. contribution from the local rate. The net result is an increase of Rs. 1,63,000 over the revised estimate.

The reduction of Rs. 20,05,000 in the revised estimate for works in charge of Public Works officers occurs entirely under original works. The construction of a new Civil Secretariat and of the Punjab Veterinary College, at a cost of four lakhs and two lakhs respectively, has been postponed, and the progress of other large schemes has been less rapid than was expected. Lapses totalling Rs. 6,27,000 are now anticipated in the allotments for the Biological Laboratory at Lahore, the Dharmsala dispensary, the Beas and Sutlej bridges, the wheat elevator at Lyallpur, and the Hindustan-Tibet Road. The current rate of expenditure makes it improbable that the grants for other less important works will be fully utilised.

The budget for 1913-14 stands at Rs. 92,97,000, Rs. 34,97,000 above the revised estimate. Liberal provision has again been made for departmental works, which absorb Rs. 14,58,000. Four lakhs have been added for expenditure from the assignment for general purposes made by the Government of India, while the financial position of the province enables many important schemes to be undertaken. The following new projects deserve special notice:—

	Rs.
Punjab Veterinary College	5,00,000
Enlargement of the Civil Secretariat	2,00,000
New Press buildings at Lahore	1,75,000
Weir at the Ravi Bathing Ghât	1,33,000
Preparatory School for the Aitchison College ...	50,000
Roads in Montgomery district	1,50,000
Roads in Hoshiarpur district	1,46,000
Hostel for the Medical College, Lahore	1,00,000
Hostel for the Mayo School of Art	40,000
Residence and offices for the Commissioner, Ambala ...	80,000
Namal Gorge Dam	90,000

Provision of the following amounts is also made for large works in progress at the end of the year:—

	Rs.
Wheat elevator, Lyallpur	1,50,000
Biology and Physics Laboratory, Government College, Lahore	1,00,000
King Edward Memorial Scheme	2,38,000
Bridge over the Beas	1,47,000
Bridge over the Sutlej	1,50,000
Bridge over the Ravi	2,00,000
Improving the Hindustan-Tibet Road	50,000

Six-and-a-half lakhs have been allotted for residences for police officers, to whom Government quarters are supplied free of rent; and three lakhs for a building scheme for officers' bungalows at Lahore. The last two projects are expected to be remunerative.

BALANCES.

The original estimates budgetted for an opening balance of Rs. 97,04,000 and a closing balance of Rs. 67,80,000. There was an actual improvement of Rs. 6,69,000 in the opening balance, while an increase of Rs. 95,21,000 in receipts and a reduction of Rs. 20,39,000 in expenditure have been foreshadowed in the detailed discussions above. The revised estimate accordingly anticipates a closing balance of Rs. 1,90,09,000.

This figure includes the following amounts which are ear-marked for special purposes :—

1—Assignments made by the Government of India prior to 1912-13 for—

	Rs.
King Edward Memorial	2,38,000
Education	2,41,000
Sanitation	3,08,000
Agriculture	2,52,000

2—Assignments made by the Government of India in 1912-13 for—

	Rs.
Education	25,25,000
Urban sanitation	14,50,000
Total ...	50,14,000

It is expected that the whole of the assignments prior to 1912-13 and Rs. 12,87,000 out of the grants made in 1912-13 will be utilised in the coming year. The closing balance for 1913-14 is estimated at Rs. 1,46,22,000, and after deducting from it Rs. 26,88,000, the balance of the ear-marked grants, and the prescribed minimum balance of 10 lakhs, Rs. 1,09,34,000 remains over to meet the demands of future years.

R. A. MANT,

The 11*th March* 1913. *Financial Secretary to Government, Punjab.*

Appendix II.

REVISED FINANCIAL STATEMENT SHOWING FIGURES (IN THOUSANDS) UNDER MAJOR HEADS FOR THE YEARS 1911-12 TO 1913-14.

NOTE.

The Revised Financial Statement differs only in the following respect from the draft statement supplied to Hon'ble Members on the 6th March 1913. The receipts under I—Land Revenue Proper have been raised by Rs. 2,00,000 in the Revised Estimates for 1912-13 in the light of eleven months' actuals, and a similar addition has consequently been made to the total revenue and receipts and to the closing balance in 1912-13, and also to the opening and closing balances in 1913-14.

11-3-13.

R. A. MANT.

Revised Financial statement showing figures under

Budget heads.		Actuals, 1911-12.	Sanctioned budget estimate, 1912-13.	Revised estimate, 1912-13.	Budget estimate, 1913-14.
		Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000
Opening balance		69,75	97,04	1,03,73	1,90,09
Provincial Revenue and Receipts.					
I—Land Revenue ...	Proper	1,44,83	1,45,66	1,55,89	1,36,31
	Assignments see Appendix A.	37,79	22,94	74,76	29,42
IV—Stamps		26,28	26,50	27,31	27,50
V—Excise		32,00	31,75	34,75	34,75
VI—Provincial Rates		28	25	30	30
VIII—Assessed Taxes		8,11	8,32	8,07	8,11
IX—Forests		13,10	13,91	12,50	13,29
X—Registration		3,16	3,13	3,35	3,25
XII—Interest		2,58	3,00	2,57	2,34
XVI-A—Law and Justice—Courts of Law		4,35	4,38	4,73	4,63
XVI-B—Law and Justice—Jails		3,41	3,43	3,23	3,10
XVII—Police		1,79	1,56	1,92	1,77
XIX—Education		3,92	4,21	4,29	4,64
XX—Medical		50	48	54	54
XXI—Scientific and other Minor Departments ...		1,06	1,20	1,22	1,99
XXII—Receipts in aid of Superannuation		79	67	84	84
XXIII—Stationery and Printing		1,44	1,77	1,54	[illegible]
XXV—Miscellaneous		9,70	7,37	8,63	3,87
XXIX—Irrigation—Major Works.	Direct receipts— Civil	3,62	3,20	2,22	35
	Public Works	1,02,92	99,43	1,22,00	1,22,00
	Indirect Receipts— Portion of Land Revenue due to Irrigation.	29,12	30,75	38,78	40,00
XXX—Irrigation—Minor Works and Navigation.	Civil	16	16	15	16
	Public Works	40	45	50	50
XXXI—Civil Works ...	Civil	4,56	4,01	3,65	3,78
	Public Works	1,65	1,60	1,60	1,60
Total Provincial Revenue and Receipts ...		4,37,52	4,20,13	5,15,34	4,46,38
GRAND TOTAL, INCLUDING OPENING BALANCE ...		5,07,27	5,17,17	6,19,07	6,36,47

Major Heads for the years 1911-12 to 1913-14.

Budget heads.	Actuals, 1911-12.	Sanctioned budget estimate, 1912-13.	Revised estimate, 1912-13.	Budget estimate, 1913-14.
Provincial Expenditure.	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000
1—Refunds and Drawbacks	79	77	85	83
2—Assignments and Compensations	34	40	35	35
5—Land Revenue	48,03	50,31	47,39	47,88
6—Stamps	88	85	87	89
7—Excise	86	93	92	96
10—Assessed Taxes	5	5	5	5
11—Forests	7,65	7,97	8,22	10,25
12—Registration	1,20	1,21	1,18	1,18
13—Interest on Ordinary Debt	2,08	2,37	1,93	1,91
18—General Administration	13,65	11,69	12,40	11,58
19-A—Law and Justice—Courts of Law	42,17	42,68	41,66	41,86
19-B—Law and Justice—Jails	12,28	11,90	13,03	12,03
20—Police	58,63	58,06	57,66	60,18
22—Education	23,55	28,63	33,37	44,83
24—Medical	21,27	31,50	27,37	28,68
26—Scientific and other Minor Departments ...	7,71	10,75	8,75	13,89
29—Superannuation Allowances and Pensions ...	18,71	19,81	18,89	19,26
30—Stationery and Printing	7,17	7,80	7,23	7,02
32—Miscellaneous	3,08	4,26	5,27	5,19
36—Reduction or Avoidance of Debt	1,40	1,40	1,40	1,40
43—Irrigation—Major Works. Working Expenses— Civil	...	1	2	1
43—Irrigation—Major Works. Working Expenses— Public Works ...	39,67	35,58	40,00	40,00
43—Irrigation—Major Works. Interest on Debt ...	28,53	31,08	32,10	34,46
44—Minor Works and Navigation. Civil	32	49	30	45
44—Minor Works and Navigation. Public Works	76	64	76	1,50
45—Civil Works ... Civil	10,83	10,18	9,01	10,64
45—Civil Works ... Public Works	51,93	78,05	58,00	92,97
Total expenditure ...	4,03,54	4,49,37	4,28,98	4,90,25
Closing balance	1,03,73	67,80	1,90,09	1,46,22
GRAND TOTAL ...	5,07,27	5,17,17	6,19,07	6,36,47

APPENDIX A.

Account of Assignments given to and Contributions recovered from the Provincial Government by the Government of India which are adjusted through the Land Revenue head, under account rules.

	Accounts, 1911-12.	Budget, 1912-13.	Revised Estimate, 1912-13.	Budget Estimate, 1913-14.	Remarks.
	Rs 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
Gross land revenue (including amount credited to Irrigation).	3,47,91	3,52,82	3,89,32	3,52,62	
Deduct—					
Portion of land revenue due to Irrigation ...	58,25	61,50	77,55	* 80,00	
Net land revenue to be divided proportionately	2,89,66	2,91,32	3,11,77	2,72,62	
Imperial share, one-half	1,44,83	1,45,66	1,55,88	1,36,31	
Provincial share, one half	1,44,83	1,45,66	1,55,89	1,36,31	
Add contributions from Imperial:—					
Fixed adjustment under the Provincial Settlement.	6,77	6,77	6,77	6,77	
For Walker Hospital, Simla	4	4	4	4	
Non-recurring assignment for discretionary grants	...	...	12,00	...	
Recurring assignment to meet the charges in connection with the grant of Rs. 100 per annum to title-holders of Mahamahopadhyaya and Shams-ul-Ulma.	...	...	2	1	
In connection with famine insurance scheme ...	1,40	1,40	1,40	1,40	
To bring up the net revenue under Irrigation to 41 lakhs.	3,09	5,56	...	...	
On account of archæological survey	49	...	2	...	
Recurring assignment in connection with remission of appropriations from cesses.	...	...	...	2,08	
The Imperial share of the sale-proceeds of sites for shops and residences in new Colonies.	1,12	68	25	26	
To meet expenditure in connection with the Badshahi Mela at Delhi.	86	...	...	...	
Non-recurring assignment for the improvement or erection of hostels.	...	...	2,50	...	
For relieving municipalities of Police charges ...	5,22	5,22	5,22	5,22	
To meet expenditure for redecoration of the ceiling of the Diwankhas, Delhi Fort.	3	...	...	...	
To cover the Provincial expenditure on the special Bonus of half month's pay to permanent Government servants drawing not more than Rs. 50 per mensem.	2,77	...	2	...	
Recurring assignment for Education	...	3,50	4,25	7,63	
Non-recurring assignment for Education ...	...	...	25,25	...	
Contributions for Punjab University—					
Non-recurring	...	...	2,00	...	
Recurring	...	...	35	35	
Non-recurring assignment for sanitation ...	...	...	14,50	...	
Recurring assignment for sanitation ...	6,17	...	...	4,00	
Recurring assignment for the improvement of the Sanitary services	...	...	12	22	
Non-recurring assignment for agriculture and allied objects.	4,00	...	...	1,20	
Non-recurring grant for medical relief and allied objects.	...	...	...	50	
Special non-recurring assignment for Central Research Institute.	6,00	...	...	...	
To cover the Provincial expenditure incurred in illuminating Government buildings	6	...	...	...	
Assignment to compensate Provincial Revenue for the loss of income from the recovery in stamps of fees for the inspection of records.	...	...	28	10	
Total ...	38,02	23,17	74,99	29,78	
Deduct contributions from Provincial—					
On account of change in classification of the charges of the Public Works section of the account office.	23	23	23	23	
In connection with the charges of the additional officers sanctioned for Veterinary Department.	...	...	...	13	
Total ...	23	23	23	36	
Net transfers from Imperial to Provincial ...	37,79	22,94	74,76	29,42	
Total Provincial share ...	1,82,62	1,68,60	2,30,65	1,65,73	

APPENDIX B.

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council.

Revenue and Receipt by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
I—Land Revenue—					
Ordinary revenue	2,78,30	3,10,40	3,24,53	3,16,31	
Sale of Government estates	58,86	32,80	54,78	26,42	
Sale-proceeds of waste lands and redemption of land tax	1,08	1,13	1,52	1,47	
Assessment of alienated lands less quit-rents—service commutations	1,80	2,13	1,65	1,66	
Rents, &c., of fisheries	9	9	9	8	
Miscellaneous	7,78	6,27	6,75	6,68	
Total ...	3,47,91	3,52,82	3,89,32	3,52,62	
Deduct—Portion of Land Revenue due to Irrigation transferred to XXIX—Irrigation—Major Works	58,25	61,50	77,55	80,00	
Net total shared ...	2,89,66	2,91,32	3,11,77	2,72,62	
Deduct—Imperial share less assignments to Provincial	1,07,04	1,22,72	81,12	1,06,89	
Provincial share *plus* assignments ...	1,82,62	1,68,60	2,30,65	1,65,73	
V—Excise—					
License and distillery fees and duties for the sale of liquors and drugs	58,34	57,83	63,56	62,36	
Acreage on land cultivated with poppy ...	23	15	20	20	
Transit duty on excise opium	28	40	30	30	
Gain on sale-proceeds of excise opium ...	5,14	5,10	5,42	6,62	
Fines, confiscations and miscellaneous ...	1	2	2	2	
Total ...	64,00	63,50	69,50	69,50	
Deduct—Imperial share—one-half ...	32,00	31,75	34,75	34,75	
Provincial share—one-half ...	32,00	31,75	34,75	34,75	
IX—Forest—					
I—Timber and other produce removed from the forests by Government agency ...	2,29	3,69	3,00	4,00	
II—Timber and other produce removed from the forests by consumers or purchasers	8,64	9,15	8,31	8,11	
III—Confiscated drift and waif wood ...	54	34	37	34	
IV—Revenue from forests not managed by Government	5	2	3	3	
V—Miscellaneous	1,58	71	79	81	
Total ...	13,10	13,91	12,50	13,29	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Revenue and Receipts by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
X—Registration—					
Fees for registering documents ...	2,34	2,34	2,49	2,44	
Fees for copies of registered documents ...	61	60	65	62	
Miscellaneous	21	19	21	19	
Total ...	3,16	3,13	3,35	3,25	
XII—Interest—					
Interest on loans to municipal and other public corporations (excluding Presidency Corporations)	1,28	1,55	1,29	1,03	
Interest on loans to land-holders and other notabilities	6	5	5	6	
Interest on advances to cultivators ...	1,16	1,33	1,17	1,18	
Interest on miscellaneous loans and advances	5	5	5	5	
Interest on advances to Co-operative Credit Societies	3	2	1	2	
Total ...	2,58	3,00	2,57	2,34	
XVI B—Law and Justice—Jails—					
Jails	60	53	33	10	
Jail manufactures	2,81	2,90	2,90	3,00	
Total ...	3,41	3,43	3,23	3,10	
XVII—Police—					
Police supplied to municipal, cantonment and town funds.	12	...	...	...	
Police supplied to public departments, private companies and persons.	51	49	67	55	
Cash receipts under the Arms Act	...	...	...	...	
Fees, fines and forfeitures	94	88	1,03	1,01	
Superannuation receipts	2	1	2	1	
Miscellaneous	20	18	20	20	
Total ...	1,79	1,56	1,92	1,77	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Revenue and Receipts by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
XIX—Education—					
Fees, Government College, general ...	37	46	43	40	
Fees, schools, general	2,58	2,85	2,87	3,27	
Ditto, special	10	2	12	11	
Contributions	40	42	40	41	
Miscellaneous	47	46	47	45	
Total ...	3,92	4,21	4,29	4,64	
XX—Medical—					
Medical School and College fees	19	18	19	19	
Lunatic Asylum receipts	9	9	9	9	
Medicines sold by Civil Surgeons	...	1	1	1	
Contributions	...	...	...	...	
Miscellaneous	22	20	25	25	
Total ...	50	48	54	54	
XXI—Scientific and other Minor Departments—					
Botanical and other public garden receipts ...	25	24	26	25	
Veterinary and stallion receipts	18	16	18	95	
Agricultural receipts including receipts on account of experimental cultivation.	28	41	39	40	
Receipts on account of public exhibitions and fairs.	82	33	33	33	
Examination fees	2	1	1	1	
Miscellaneous	1	...	4	4	
Inoculation receipts	...	5	1	1	
Total ...	1,06	1,20	1,22	1,99	
XXII—Receipts in aid of superannuation, retired and compassionate allowances.					
Contributions for pensions and gratuities ...	79	67	84	84	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Revenue and Receipts by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
XXIII—Stationery and Printing—					
Stationery receipts	...	...	...	...	
Sales of Gazettes and other publications ...	6	5	6	6	
Other Press receipts	1,38	1,72	1,48	1,28	
Total ...	1,44	1,77	1,54	1,34	
XXV—Miscellaneous—					
Unclaimed deposits	2,69	60	60	1,00	
Sale-proceeds of Darbar presents ...	...	...	...	...	
Sale of old stores and materials	6	3	3	3	
Sales of lands and houses	41	15	150	40	
Fees for Government audit	10	11	12	12	
Contributions	4,03	3,96	4,05	...	
Rents	3	4	4	4	
Miscellaneous fees, fines and forfeitures ...	20	16	19	18	
Miscellaneous	2,18	2,32	2,10	2,10	
Percentage on capital cost of furniture supplied to high officers.	...	...	...	...	
Treasure trove	...	...	...	...	
Total ...	9,70	7,37	8,63	3,87	
XXIX—Irrigation—Major Works—					
Direct receipts — In charge of Civil Officers	7,23	6,39	4,43	70	
Direct receipts — In charge of Public Works Officers.	2,05,85	1,98,86	2,44,00	2,44,00	
Portion of Land Revenue due to irrigation (transferred from I—Land Revenue).	58,24	61,50	77,55	80,00	
Total ...	2,71,32	2,66,75	3,25,98	3,24,70	
Deduct—Imperial share	1,35,66	1,33,37	1,62,98	1,62,35	
Provincial share	1,35,66	1,33,38	1,63,00	1,62,35	
XXX—Irrigation—Minor Works and Navigation—					
In charge of Civil Officers	16	16	15	16	
In charge of Public Works Officers ...	40	45	50	50	
Total ...	56	61	65	66	
XXXI—Civil Works—					
In charge of Civil Officers	4,56	4,01	3,65	3,78	
In charge of Public Works Officers ...	1,65	1,60	1,60	1,60	
Total ...	6,21	5,61	5,25	5,38	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
1—Refunds and Drawbacks—					
Revenue refunds—Provincial	79	77	85	83	
3—Land Revenue—					
Charges of district administration ...	22,69	23,24	22,11	23,28	
Survey and settlement	8,95	11,15	9,80	8,60	
Land records	16,31	15,84	15,40	15,91	
Allowances to district and village officers ...	8	8	8	9	
Total ...	48,03	50,31	47,39	47,88	
6—Stamps—					
Superintendence	21	21	19	20	
Charges for sale of general stamps ...	66	66	66	64	
Charges on sale of court-fee stamps ...	24	25	25	25	
Discount on plain paper	8	10	9	9	
Stamp paper supplied from Central Stores ...	58	47	54	60	
Total ...	1,77	1,69	1,73	1,78	
Deduct—Imperial share	89	84	86	89	
Provincial share	88	85	87	89	
7—Excise—					
District executive establishments ...	1,48	1,63	1,60	1,67	
Distilleries	23	23	24	25	
Total ...	1,71	1,86	1,84	1,92	
Deduct—Imperial share	85	93	92	96	
Provincial share	86	93	92	96	
10—Assessed Taxes—					
Collection of income-tax	11	11	11	11	
Deduct—Imperial share	6	6	6	6	
Provincial share	5	5	5	5	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
11—*Forest*—					
A—Conservancy and Works—					
I—Timber and other produce removed from the forests by Government agency.	1,02	1,44	1,27	2,22	
II—Timber and other produce removed from the forests by consumers or purchasers.	6	11	6	7	
III—Confiscated drift and waif wood ...	23	16	17	14	
IV—Revenue from forests not managed by Government.	...	...	...	...	
V—Rent of leased forests and payments to share-holders in forests managed by Government.	45	42	45	45	
VI—Live and dead stocks	11	7	13	54	
VII—Communications and buildings ...	67	73	64	85	
VIII—Demarcation, improvement and extension of forest.	50	72	66	90	
IX—Miscellaneous	7	9	17	11	
Deduct—Probable savings	...	10	...	...	
Total Conservancy and Works ...	3,11	3,64	3,55	5,28	
B—Establishment—					
I—Salaries	1,30	1,43	1,49	1,60	
II—Establishments	1,97	2,01	1,95	2,09	
III—Allowances	87	89	85	89	
IV—Contingencies	40	40	38	39	
Deduct—Probable savings ...	...	40	...	...	
Total Establishment ...	4,54	4,33	4,67	4,97	
Total ...	7,65	7,97	8,22	10,25	
12—*Registration*—					
District charges	1,20	1,21	1,18	1,18	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
18.—*General Administration*—					
Salary of the Lieutenant-Governor ...	1,02	96	96	96	
Staff and household expenses of the Lieutenant-Governor.	48	98	54	61	
Expenditure from contract allowance ...	51	55	64	53	
Tour expenses	5	7	7	7	
Legislative Council	5	10	6	10	
Civil Secretariat	2,83	2,79	3,15	2,99	
Financial Commissioners	2,50	2,45	2,43	2,48	
Commissioners	2,80	2,90	2,89	2,89	
Civil office of account and audit ...	82	89	85	95	
Royal Visit, Delhi Coronation Darbar ...	2,59	...	81	...	
Total ...	13,65	11,69	12,40	11,58	
19-A.—*Law and Justice—Courts of Law*—					
Chief Court	4,47	4,49	4,77	4,88	
Law Officers	2,15	2,14	2,24	2,21	
Civil and Sessions Courts	17,31	17,72	16,62	17,00	
Courts of Small Causes	51	51	40	34	
Criminal Courts	17,10	17,26	16,98	16,78	
Refunds	63	56	65	65	
Total ...	42,17	42,68	41,66	41,86	
19-B.—*Law and Justice—Jails*—					
Jails	10,93	10,86	11,97	10,88	
Jails manufactures	1,35	1,04	1,06	1,15	
Total ...	12,28	11,90	13,03	12,03	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
30—*Police*—					
Superintendence	2,02	1,84	1,90	1,92	
District executive force	49,25	48,93	48,44	50,73	
Special police	1,59	1,64	1,53	1,51	
Railway police	4,28	4,20	4,22	4,45	
Criminal Investigation Department ...	1,22	1,15	1,22	1,22	
Cattle-pounds	18	21	19	22	
Miscellaneous	8	7	9	11	
Refunds...	1	2	7	2	
Total ...	58,63	58,06	57,66	60,18	
22—*Education*—					
University	57	57	2,92	93	
Direction	78	80	80	81	
Inspection	2,54	2,57	2,55	2,89	
Government Colleges, General	1,83	2,05	1,84	1,63	
Government Schools, General	9,11	10,57	11,22	11,50	
Government Schools, Special	2,68	2,74	3,08	4,07	
Grants-in-aid	5,12	6,10	8,25	6,88	
Scholarships	69	75	72	83	
Miscellaneous	22	27	24	25	
Refunds	1	1	...	...	
Lump provision for revision of provincial and subordinate educational service.	...	45	...	30	
Lump provision for improvement of education	...	1,75	1,75	14,74	
Total ...	23,55	28,63	33,37	44,83	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
24—Medical—					
Medical establishments	4,21	4,74	4,11	3,95	
Hospitals and dispensaries	1,91	1,92	1,85	1,84	
Sanitation and vaccination	3,70	12,19	9,56	16,00	
Grants for medical purposes	8,25	9,74	9,03	3,74	
Medical school and college	2,50	2,27	2,12	2,43	
Lunatic asylums	43	40	48	49	
Special hospitals	20	18	15	16	
Chemical Examiner	6	6	6	6	
Refunds	1	...	1	1	
Total ...	21,27	31,50	27,37	28,68	
25—Scientific and other Minor Departments—					
Registrar, Co-operative Credit Societies ...	58	58	58	62	
Provincial museums	16	11	19	10	
Imperial Institute	...	1	...	1	
Agriculture	2,47	4,12	2,80	6,62	
Public exhibitions and fairs	45	2	40	2	
Veterinary and stallion charges... ...	2,78	4,21	2,82	4,49	
Botanical and other public gardens ...	89	1,13	1,04	85	
Emigration	...	...	...	...	
Inspector of Factories	4	4	4	4	
Gazetteers and statistical memoirs ...	3	10	5	5	
Registration of railway traffic	5	8	5	8	
Provincial statistics	2	1	1	2	
Preservation and translation of ancient manuscripts.	...	1	...	1	
Examination	2	2	1	2	
Miscellaneous	21	31	72	95	
Refunds	1	...	1	1	
Total ...	7,71	10,75	8,75	13,89	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
29—Superannuation Allowances and Pensions—					
Superannuation and retired allowances ...	18,03	19,13	18,28	18,68	
Compassionate allowances	31	30	30	27	
Gratuities	31	32	25	25	
Pensions for distinguished and meritorious services.	6	6	6	6	
Refunds	...	...	...	...	
Total ...	18,71	19,81	18,89	19,26	
30—Stationery and Printing—					
Stationery purchased in the country ...	1,86	1,87	1,83	1,69	
Government Presses	2,15	2,60	2,19	2,10	
Printing and private Presses	44	56	39	38	
Lithography	73	79	84	90	
Stationery supplied from Central Stores ...	1,99	1,98	1,98	1,95	
Refunds	...	...	...	...	
Total ...	7,17	7,80	7,23	7,02	
32—Miscellaneous—					
Travelling allowances to officers attending examinations.	1	2	2	2	
Rewards for proficiency in Oriental languages and allowances to Language Examination Committees.	9	12	7	7	
Donations for charitable purposes ...	3	3	3	3	
Charges on account of European vagrants ...	4	4	5	5	
Rewards for destruction of wild animals ...	9	7	8	8	
Petty establishment	2,44	2,64	2,55	2,59	
Special commissions of enquiry	...	...	...	...	
Irrecoverable temporary loans written off ...	2	1	1,95	1	
Miscellaneous charges for treatment of patients at Pasteur Institute, Kasauli ...	7	6	9	7	
Contributions	13	9	9	9	
Miscellaneous and unforeseen charges ...	10	1,13	25	1,30	
Miscellaneous refunds	6	5	5	5	
Charges for searching of hidden treasure ...	...	...	2	1	
Increase in the pay of clerks	...	...	...	80	
Rent, Rates and Taxes	...	...	2	2	
Total ...	3,08	4,26	5,27	6,19	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—concluded.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
[illegible]—*Reduction or Avoidance of debt* ...	1,40	1,40	1,40	1,40	
42—*Irrigation—Major Works*—					
Working expenses { Civil	1	1	3	2	
Working expenses { Public Works ...	79,34	71,15	80,00	80,00	
Interest on debt*	57,06	62,15	64,19	68,91	*Not open to discussion, but the figures are shown here to secure the correct total.
Total ...	1,36,41	1,33,31	1,44,22	1,48,93	
Deduct—Imperial share	68,21	66,64	72,10	7,446	
Provincial share	68,20	66,67	72,12	74,47	
43—*Irrigation Minor Works and Navigation*—					
In charge of Civil Officers	32	49	30	45	
In charge of Public Works Officers ...	76	64	76	150	
Total ...	1,08	1,13	1,06	1,95	
45—*Civil Works*—					
In charge of Civil Officers	10,83	10,18	9,01	10,64	
In charge of Public Works Officers ...	51,93	78,05	58,00	92,97	
Total ...	62,76	88,23	67,01	1,03,61	

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PUNJAB AND ITS DEPENDENCIES.

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PART V.

Bills introduced into the Council of the Lieutenant-Governor of the Punjab for making Laws and Regulations, Reports of Select Committees presented to the Council, and Bills published under Rule 18 of the Rules for the Conduct of Business at Meetings of the Council.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Lieutenant-Governor of the Punjab for the purposes of making Laws and Regulations on the 18th April 1913 :—

BILL No. 1 OF 1913.

PUNJAB EXCISE BILL.

CONTENTS.

PUNJAB GOVERNMENT.
LEGISLATIVE DEPARTMENT.

BILL No. 1 OF 1913.

A Bill to consolidate and amend the excise law in the Punjab.

WHEREAS it is expedient to consolidate and amend the law in the Punjab relating to the import, export, transport, manufacture, sale and possession of intoxicating liquor and of intoxicating drugs: It is hereby enacted as follows:—

REFERENCES: Act XII of 1896.

CHAPTER I.

PRELIMINARY AND DEFINITIONS.

1 (1) Short title. 1. (*1*) This Act may be called the Punjab Excise Act, 191 ; and

1 (2) Extent. (*2*) It extends to the whole of the Punjab.

Commencement. (*3*) It shall come into force on such date as the Local Government may by notification direct.

Repeal of enactments. 2. The enactments mentioned in the schedule are repealed to the extent specified in the fourth column thereof.

Definitions. 3. In this Act, and the rules made under it unless there is something repugnant in the subject or context,—

3 (1) (b) (*1*) "beer" includes ale, porter, stout, and all other fermented liquors usually made from malt ;

(*2*) to "bottle" means to transfer liquor from a cask or other vessel to a bottle, jar, flask, or similar receptacle for the purpose of sale, whether any process of manufacture be employed or not, and bottling includes re bottling ;

3 (1) (d) (*3*) "Collector" includes any revenue officer in independent charge of a district and any official appointed by the Local Government to discharge, throughout any specified local area, the functions of a Collector under this Act ;

3 (1) (e) (*4*) "Commissioner" means the chief officer in charge of the revenue administration of a division ;

(*5*) "denatured" means effectually and permanently rendered unfit for human consumption ;

(*6*) "excisable article" means and includes any liquor or intoxicating drug as defined by or under this Act ;

(*7*) "Excise Commissioner" means the officer appointed by the Local Government under section 9 ; REFERENCES: Act XII of 1896.

(*8*) "excise officer" means any officer or person appointed, or invested with powers, under this Act ;

(*9*) "excise revenue" means revenue derived or derivable from any payment, duty, fee, tax, confiscation or fine, imposed or ordered under the provisions of this Act, or of any other law for the time being in force relating to liquor or intoxicating drugs, but does not include a fine imposed by a court of law ;

(*10*) "export" means to take out of the Punjab ;

(*11*) "Financial Commissioner" shall, when there are more Financial Commissioners than one, be construed as meaning one or more of the Financial Commissioners ; 3 (1) (a)

(*12*) "import" means to bring into the Punjab ;

(*13*) "intoxicating drug" includes— 3 (1) (*f*), as amended by Act VII of 1906.

(*a*) *charas*, *bhang*, *ganja* and all other preparations of the hemp plant (*cannabis sativa*) as well as all portions of the said plant from which such preparations are made. The Local Government may, by notification, declare what shall be deemed to be *charas*, *bhang*, or *ganja*;

(*b*) cocaine and all other preparations or derivatives of the coca plant (*erythroxylon coca*) and all portions of the said plant from which such preparations are made ;

(*c*) any other intoxicating drink or substance which the Local Government may by notification specify in this behalf ;

(*d*) every preparation or admixture of any article mentioned in sub-sections (*a*), (*b*) and (*c*) above, but does not include opium or anything which is included in opium as defined in the Opium Act (I of 1878) ;

(*14*) "liquor" means intoxicating liquor, and includes all liquid consisting of or con-

REFERENCES: Act XII of 1896.

taining alcohol; also any substance which the Local Government may by notification declare to be liquor for the purposes of this Act;

3 (1) (d) (15) "magistrate" means any magistrate exercising powers not less than those of a magistrate of the second class, or any magistrate of the third class specially authorised in this behalf by the district magistrate;

"magistrate"

(16) "manufacture" includes every process, whether natura or artificial, by which any excisable article is produced or prepared, and also redistillation and every process for the rectification, reduction, flavouring, blending or colouring of liquor;

"manufacture"

3 (1) (f) (17) "place" includes a building, shop, tent, enclosure, booth, vehicle, vessel, boat and raft;

"place"

(18) expressions referring to "sale" include any transfer otherwise than by way of gift;

"sale"

3 (1) (i) (19) "spirit" means any liquor containing alcohol obtained by distillation, whether denatured or not;

"spirit"

3 (1) (g) (20) "tari" means fermented or unfermented juice drawn from any kind of palm tree;

"tari"

(21) "transport" means to move from one place to another within the Punjab.

"transport"

3 (1) (2) 4. The Local Government may, with the previous sanction of the Governor-General in Council, by notification declare what, for the purposes of this Act or any portion thereof, shall be deemed to be "country liquor" and "foreign liquor."

"Country liquor" and "foreign liquor."

5. The Local Government may by notification declare with respect either to the whole of the Punjab or to any local area comprised therein, and as regards purchasers generally or any specified class of purchasers, and generally or for any specified occasion the maximum and minimum quantity or both of any excisable article which for the purposes of this Act may be sold by retail and by wholesale, respectively.

Power of Local Government to declare limit of sale by retail and by wholesale.

6. Where under this Act any notification is made, any power conferred, any appointment made, or any license, pass or permit granted, it shall be lawful to direct—

Power to limit application of notifications, permits, &c., made under this Act.

(a) that it shall apply to the whole of the Punjab or to any specified local area or areas;

(b) that it shall apply to all or any specified excisable article or articles or classes thereof;

(c) that it shall apply to all or any class or classes of persons or officers;

(d) that it shall be in force only for some special period or occasion.

7. Save as provided by the Schedule, nothing contained in this Act shall affect the provisions of the Sea Customs Act, 1878, the Cantonments Act, 1910, or the Indian Tariff Act, 1894, or any rule or order made thereunder.

Saving of enactments.

CHAPTER II.

ESTABLISHMENT AND CONTROL.

8. (a) Subject to the control of the Local Government and unless the Local Government shall by notification otherwise direct, the general superintendence and administration of all matters relating to excise shall vest in the Financial Commissioner.

Superintendence and control of the excise administration and excise officers.

(b) Subject to the general superintendence and control of the Financial Commissioner and unless the Local Government shall by notification otherwise direct, the Commissioner shall control all excise officers in his division.

(c) Subject as aforesaid and to the control of the Commissioner and unless the Local Government shall by notification otherwise direct, the Collector shall control all other excise officers in his district.

9. The Local Government may by notification appoint an Excise Commissioner and, subject to such conditions and restrictions as it may deem fit, may invest him with all or any of the powers conferred on the Financial Commissioner by this Act.

Excise Commissioner.

10. (a) There shall be such other classes of excise officers as the Local Government may by notification declare and the Local Government may appoint as many persons as it deems fit to be excise officers of these classes.

Other classes of excise officers.

(b) The Local Government shall by notification declare what powers under this Act shall be exercised by excise officers of each class.

Their powers.

(c) In conferring powers under this Act the Local Government may empower persons by name or in virtue of their office or classes of officials generally by their official titles.

Mode of conferring powers.

Power to invest persons with special powers under this Act.

11. The Local Government may by notification invest any person, not being an excise officer, with power to perform all or any of the functions of an excise officer under this Act, and such person shall in the exercise of these functions be deemed to be an excise officer.

Delegation.

12. (a) The Local Government may by notification delegate to the Financial Commissioner or Commissioner all or any of its powers under this Act.

(b) The Local Government may by notification permit the delegation by the Financial Commissioner, Commissioner or Collector to any person or class of persons specified in such notification of any powers conferred by this Act or exercised in respect of excise revenue under any Act for the time being in force.

Appeal.

13. An appeal shall lie from an original or appellate order of an excise officer in such cases or classes of cases and to such authority as the Local Government shall by notification declare.

Revision.

14. (a) The Financial Commissioner may at any time revise any order passed by any excise officer subordinate to him.

(b) A Commissioner or Collector may call for the record of any case pending before, or disposed of by, any excise officer subordinate to him, and if he is of opinion that the proceedings taken or order made should be modified or reversed, he shall report the case with his opinion thereon for the orders of the Financial Commissioner:

Provided that the Financial Commissioner shall not under this section pass an order revising or modifying any proceeding or order of a subordinate excise officer and affecting any person without giving such person an opportunity of being heard.

CHAPTER III.

IMPORT, EXPORT AND TRANSPORT.

Import, export and transport of excisable articles.

15. No excisable article shall be imported, exported or transported except—

(a) after payment of any duty of customs or excise to which it may be liable, or execution of a bond for such payment, and

(b) in compliance with such conditions as the Local Government may impose.

Power of Local Government to prohibit import, export and transport of excisable articles.

16. The Local Government may, by notification,— Reference, Act XII of 1896.

(a) with the previous sanction of the Governor-General in Council, prohibit the import or export of any excisable article into or from the Punjab or any part thereof; or

(b) prohibit the transport of any excisable article.

Passes necessary for import, export and transport.

17. No excisable article exceeding such quantity as the Local Government may prescribe by notification shall be imported, exported or transported except under a pass issued under the provisions of the next following section:

Provided that in the case of duty-paid foreign liquor such passes shall be dispensed with, unless the Local Government shall by notification otherwise direct:

Provided, further, that on such conditions as may be determined by the Financial Commissioner, a pass granted under the excise law in force in another province may be deemed to be a pass granted under this Act.

Grant of passes for import, export and transport.

18. Passes for the import, export or transport of excisable articles may be granted by the Collector:

Provided that passes for the import and export of such excisable articles as the Financial Commissioner may from time to time determine shall be granted only by the Financial Commissioner.

CHAPTER IV.

MANUFACTURE, POSSESSION AND SALE.

A—Manufacture.

Manufacture of excisable articles prohibited except under the provisions of this Act.

19. (1) (a) No excisable article shall be manufactured or collected.

(b) no hemp plant or coca plant shall be cultivated,

(c) no tari-producing tree shall be tapped,

(d) no tari shall be drawn from any tree, and

(e) no person shall use, keep or have in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing any excisable article other than tari,

except under the authority and subject to the terms and conditions of a license granted in that behalf by the Collector.

(2) No distillery or brewery shall be constructed or worked except under the authority and subject to the terms and conditions of a license granted in that behalf by the Financial Commissioner under section 20.

REFERENCES: Act XII of 1896.

Establishment or licensing of distilleries.

20. The Financial Commissioner, subject to such restrictions or conditions as the Local Government may impose, may—

6. (a) establish a distillery in which spirit may be manufactured under a license granted under section 19;

(b) discontinue any distillery so established;

(c) license the construction and working of a distillery or brewery;

(d) make rules regarding—

65. (1) the granting of licenses for distilleries, stills or breweries;

(2) the security to be deposited by the licensee of a distillery or brewery;

(3) the period for which the license shall be granted;

(4) the inspection and examination of such distillery or brewery and the warehouses connected therewith and of the spirit or fermented liquor made and stored therein;

(5) the management and working of the distillery or brewery;

(6) the form of accounts to be maintained and the returns to be submitted by the licensee;

(7) the up-keep of buildings and plant;

(8) the size and description of stills and other plant;

(9) the manufacture, storing and passing out of spirit, and the contents of passes;

(10) the prices to be charged;

(11) any other matters connected with the working of distilleries.

Establishment or licensing of warehouses.

141 21. The Financial Commissioner, subject to such restrictions or conditions as the Local Government may impose, may—

(a) establish or license a warehouse wherein any excisable article may be deposited and kept without payment of duty;

(b) discontinue any warehouse so established.

Removal of excisable article from distillery, etc.

15. 22. No excisable article shall be removed from any distillery, brewery, warehouse, or other place of storage established or licensed under this Act, unless the duty (if any) imposed under section 30 has been paid or a bond has been executed for the payment thereof.

B.—Possession.

Possession of excisable articles.

23. (1) No person shall have in his possession any quantity of any excisable article in excess of such quantity as the Local Government has, under section 5, declared to be the limit of retail sale, except under the authority and in accordance with the terms and conditions of— REFERENCE: Act XII of 1896 s. 8.

(a) a license for the manufacture, sale or supply of such article; or

(b) in the case of intoxicating drugs, a license for the cultivation or collection of the plants from which such drugs were produced; or

(c) a permit granted by the Collector in that behalf.

Exceptions.

(2) Sub-section (1) shall not apply to—

(a) any excisable article in the possession of any Excise Officer, common carrier or warehouseman as such; or

(b) any foreign liquor which has been purchased by any person for his *bonâ fide* private consumption.

(3) A licensed vendor shall not have in his possession at any place, other than that authorized by his license, any quantity of any excisable article in excess of such quantity as the Local Government has under section 5 declared to be the limit of sale by retail, except under a permit granted by the Collector in that behalf.

Prohibition and restriction of possession of excisable articles in certain cases.

(4) Notwithstanding anything contained in the foregoing sub-sections, the Local Government may by notification prohibit the possession of any excisable article, or restrict such possession by such conditions as it may prescribe. 61.

Prohibition of possession of excisable article, unlawfully manufactured, imported, &c.

24. No person shall have in his possession any quantity of any excisable article, knowing the same to have been unlawfully imported, transported, manufactured, cultivated or collected, or knowing the prescribed duty not to have been paid thereon.

C.—Sale.

Sale of excisable articles.

25. No liquor shall be bottled for sale and no excisable article shall be sold, except under the authority and subject to the terms and conditions of a license granted in that behalf; provided that—

(1) a person licensed under section 19 to cultivate hemp or coca plant may sell without a license those portions of the plant from which any intoxicating drug can be manufactured to any person licensed under this Act to deal in the same or to any officer whom the Financial Commissioner may appoint in this behalf;

(2) a person having the right to the tari drawn from any tree may sell the same without a license to a person licensed to manufacture or sell tari under this Act;

(3) on such conditions as the Financial Commissioner may determine a license for sale under the excise law for the time being in force in other parts of British India may be deemed to be a license granted in that behalf under this Act;

(4) nothing in this section applies to the sale of any foreign liquor lawfully procured by any person for his private use and sold by him or on his behalf or on behalf of his representatives in interest upon his quitting a station or after his decease.

Grant of lease of manufacture, etc.

26. (1) The Local Government may lease to any person, on such conditions and for such period as it may deem fit, the right,—

(i) of manufacturing or of supplying by wholesale, or of both, or

(ii) of selling by wholesale or by retail, or

(iii) of manufacturing or of supplying by wholesale, or of both, and of selling by retail,

any country liquor or intoxicating drug within any specified local area.

(2) The Collector shall grant to a lessee under sub-section (1) a license in the terms of his lease; and, when there is no condition in the lease which prohibits sub-letting, may, on the application of the lessee, grant a license to any sub-lessee approved by the Collector.

Manufacture and sale of liquor in military cantonments.

27. Within the limits of any military cantonment, and within such distance from those limits as the Local Government in any case may prescribe, no license for the manufacture or sale of liquor and no lease of retail vend of liquor such as is described in section 26 shall be granted unless with the consent of the Commanding Officer.

Prohibition of sale to persons under the age of sixteen years.

28. No licensed vendor and no person in the employ of such vendor and acting on his behalf shall sell or deliver any spirit or intoxicating drug to any person apparently under the age of sixteen years whether for consumption by such person or by another person and whether for consumption on or off the premises of such vendor.

Prohibition of employment of children under the age of sixteen years and of women.

29. (1) No person who is licensed to sell foreign liquor or country spirit for consumption on his premises shall, during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any child under the age of sixteen years in any part of such premises in which such liquor or spirit is consumed by the public. REFERENCES. Act XII of 1896.

(2) No person who is licensed to sell foreign liquor or country spirit for consumption on his premises shall, without the previous permission in writing of the Collector, during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any woman in any part of such premises in which liquor is consumed by the public.

(3) Every permission granted under sub-section (2) shall be endorsed on the license, and may be modified or withdrawn.

CHAPTER V.

DUTIES AND FEES.

Duty on excisable articles.

30. A duty, at such rate or rates as the Local Government shall direct, may be imposed, either generally or for any specified local area, on any excisable article— 7, 13, 32

(a) imported, exported or transported in accordance with the provisions of section 15; or

(b) manufactured or cultivated under any license granted under section 19; or

(c) manufactured in any distillery established, or any distillery or brewery licensed under section 20:

Provided as follows:—

(i) duty shall not be so imposed on any article which has been imported into British India and was liable on importation to duty under the Indian Tariff Act, 1894, or the Sea Customs Act, 1878; 8 India Act VIII of 1894. India Act VIII of 1878.

(ii) the duty on denatured spirit or beer manufactured in India, shall, unless the Local Government, with the previous sanction of the Governor-General in Council, otherwise directs, be equal to the duty to which denatured spirit or beer respectively imported into British India by sea is liable under the Indian Tariff Act, 1894, or any other law for India Act VIII of 1894.

REFERENCES: Act XII of 1896.

the time being in force relating to the duties or customs on goods imported into British India.

Explanation.—Duty may be imposed under this section at different rates according to the places to which any excisable article is to be removed for consumption, or according to the varying strengths and quality of such article.

19

Manner in which duty may be levied.

31. Subject to such rules regulating the time, place and manner as the Financial Commissioner may prescribe, such duty shall be levied rateably on the quantity of excisable article imported, exported, transported, collected or manufactured in, or issued from, a distillery, brewery or warehouse:

Provided that duty may be levied—

(*a*) on intoxicating drugs by an acreage rate levied on the cultivation of the hemp or coca plant, or by a rate charged on the quantity collected;

(*b*) on spirit or beer manufactured in any distillery established, or any distillery or brewery licensed, under this Act in accordance with such scale of equivalents calculated on the quantity of materials used, or by the degree of attenuation of the wash or wort, as the case may be, as the Local Government may prescribe;

(*c*) on tari, by a tax on each tree from which the tari is drawn:

Provided further that, where payment is made upon issue of an excisable article for sale from a warehouse established or licensed under section 21 (*a*), it shall be made—

(*a*) if the Local Government by notification so directs at the rate of duty which was in force at the date of import of that article, or

(*b*) in the absence of such direction by the Local Government, at the rate of duty which is in force on that article on the date when it is issued from the warehouse.

Payment for grant of leases.

32. Instead of or in addition to any duty leviable under this chapter the Local Government may accept payment of a sum in consideration of the lease of any right under section 26.

CHAPTER VI.—LICENSES, PERMITS AND PASSES.

Fees for, terms, conditions and form of, and duration of, licenses, permits and passes.

33. (*1*) Every license, permit or pass granted under this Act shall be granted—

(*a*) on payment of such fees, if any,

(*b*) subject to such restrictions and on such conditions,

(*c*) in such form and containing such particulars,

(*d*) for such period,

as the Financial Commissioner may direct.

Security.

(*2*). Any authority granting a license under this Act may require the licensee to give such security for the observance of the terms of his license, or to make such deposit in lieu of security, as such authority may think fit.

Grant of licenses for sale.

34. (*1*) Subject to the rules made by the Financial Commissioner under the powers conferred by this Act, the Collector may grant licenses for the sale of any excisable article within his district.

(*2*) A license for sale in more than one district of the Punjab shall be granted by the Financial Commissioner only.

Power to cancel or suspend licenses, etc.

35. Subject to such restrictions as the Local Government may prescribe, the authority granting any license, permit or pass under this Act may cancel or suspend it—

(*a*) if it is transferred or sublet by the holder thereof without the permission of the said authority; or

(*b*) if any duty or fee payable by the holder thereof be not duly paid; or

(*c*) in the event of any breach by the holder of such license, permit or pass or by his servants, or by any one acting on his behalf with his express or implied permission, of any of the terms or conditions of such license, permit or pass, or

(*d*) if the holder thereof is convicted of any offence punishable under this Act or any other law for the time being in force relating to revenue, or of any cognizable and non-bailable offence, or of any offence punishable under the Merchandise Marks Act, 1889, or of any offence punishable under sections 482 to 489 (both inclusive) of the Indian Penal Code; or

(e) if the holder thereof is punished for any offence referred to in clause (8) of section 167 of the Sea Customs Act, 1878; or

(f) where a license, permit or pass has been granted on the application of the grantee of a lease under this Act, on the requisition in writing of such grantee; or

(g) at will, if the conditions of the license or permit provide for such cancellation or suspension.

Power to cancel any other license.

36. When a license, permit or pass held by any person is cancelled under sub-clause (a), (b), (c), (d) or (e) of section 35 the authority aforesaid may cancel any other license, permit or pass granted to such person within the same district under this Act or under any other law for the time being in force relating to excise revenue or under the Opium Act, 1878, and the Financial Commissioner may cancel any such license, permit or pass granted to such person in any district to which this Act applies.

Power to recover fee.

37. In the case of cancellation or suspension of a license under sub-clause (a), (b), (c), (d) or (e) of section 35, the fee payable for the balance of the period for which any license would have been current but for such cancellation or suspension, may be recovered from the ex-licensee as excise revenue.

Power of Collector to take grants under management or to resell.

38. If any holder of a license granted under this Act, or any person to whom a lease has been granted under section 26, makes default in complying with any condition imposed upon him by such license or lease, the Collector may take the grant under management at the risk of the person who has so defaulted or may resell it and recover in the manner laid down in section 58 of this Act any deficiency in price and all expenses of such re-sale.

No compensation or refund claimable for cancellation or suspension of license, etc., under this section.

39. When a license, permit or pass is cancelled or suspended under sub-clause (a), (b), (c), (d) or (e) of section 35 or under section 36, the holder shall not be entitled to any compensation for its cancellation or suspension nor to the refund of any fee paid or deposit made in respect thereof.

Powers to withdraw licenses.

40. (1) Whenever the authority which granted a license, permit or pass under this Act considers that such license, permit or pass should be withdrawn for any cause other than those specified in section 35, it may, on remitting a sum equal to the amount of the fees payable in respect thereof for fifteen days, withdraw the license either—

(a) on the expiration of fifteen days' notice in writing of its intention to do so, or

(b) forthwith without notice.

Compensation in the case of withdrawal.

(2) If any license, permit, or pass be withdrawn under clause (b) of sub-section (1), in addition to the sum remitted as aforesaid, there shall be paid to the licensee such further sum (if any) by way of compensation as the Financial Commissioner may direct.

Refund of fee or deposit.

(3) When a license, permit or pass is withdrawn under this section, any fee paid in advance or deposit made by the licensee in respect thereof shall be refunded to him, after deducting the amount (if any) due to Government.

Technical irregularities in license, etc.

41. (1) No license, permit or pass granted under this Act shall be deemed to be invalid by reason merely of any technical defect, irregularity or omission in the license or in any proceedings taken prior to the grant thereof.

(2) The decision of the Financial Commissioner as to what is a technical defect, irregularity or omission shall be final.

No claim in consequence of refusal to renew a license, etc.

42. No person to whom a license, permit or pass may have been granted shall be entitled to claim any renewal thereof, and no claim shall lie for damages or otherwise in consequence of any refusal to renew a license, permit or pass on the expiry of the period for which it remains in force.

Surrender of license.

43. (1) No holder of a license granted under this Act to sell an excisable article shall surrender his license except on the expiration of one month's notice in writing given by him to the Collector of his intention to surrender the same and on payment of the fee payable for the license for the whole period for which it would have been current but for the surrender:

Provided that, if the Collector is satisfied that there is sufficient reason for surrendering the license, he may remit to the holder thereof the sum so payable on surrender or any portion thereof.

(2) Sub-section (1) shall not apply in the case of any license granted under section 26 (2).

Explanation.—The words "holder of a license" as used in this section include a person whose tender or bid for a license has been accepted, although he may not actually have received the license.

CHAPTER VII.

POWERS AND DUTIES OF OFFICERS, ETC.

Power to enter and inspect places of manufacture and sale.

44. Any excise officers not below such rank as the Local Government may prescribe or any police officer duly empowered, may—

(a) enter and inspect, at any time by day or by night, any place in which any licensed manufacturer carries

REFERENCES Act XII of 1896.

on the manufacture of or stores any excisable article;

(b) enter and inspect, at any time within the hours during which sale is permitted, and at any other time during which the same may be open, any place in which any excisable article is kept for sale by any person holding a license under this Act;

(c) examine accounts and registers, test, measure or weigh any materials, stills, utensils, implements, apparatus or excisable article found in that place;

(d) seize any accounts, registers, measures, weights or testing instruments which he has reason to believe to be false.

Powers of excise officers to investigate offences punishable under this Act.

45. (1) The Local Government may by notification invest any excise officer, not below such rank as the Local Government may prescribe, with power to investigate any offence punishable under this Act committed within the limits of the area in which the officer exercises jurisdiction.

(2) Every officer so empowered may within those limits exercise the same powers in respect of such investigation as an officer in charge of a police station may exercise in a cognizable case under the provisions of chapter XIV of the Code of Criminal Procedure, 1898, and if specially empowered in that behalf by the Local Government, such officer may, without reference to a Magistrate and for reasons to be recorded by him in writing, stop further proceedings against any person concerned or supposed to be concerned in any offence punishable under this Act which he has investigated.

India Act V of 1898.

36, 37

Powers of arrest, seizure and detention.

46. Any officer of the excise, police, salt, or land revenue departments, not below such rank and subject to such restrictions as the Local Government may prescribe, and any other person duly empowered by notification by the Local Government in this behalf, may arrest without warrant any person found committing an offence punishable under section 59, or section 61; and may seize and detain any excisable or other article which he has reason to believe to be liable to confiscation under this Act or other law for the time being in force relating to excise revenue: and may detain and search any person upon whom, and any vessel, raft, vehicle, animal, package, receptacle or covering in or upon which he may have reasonable cause to suspect any such article to be.

Power of magistrate to issue warrant for search or arrest.

47. A magistrate having reason to believe that an offence under section 59 or 61 has been, is being, or is likely to be committed, may—

(a) issue a warrant for the search of any place in which he has reason to believe that any excisable article, still, utensil, implement, apparatus or materials, in respect of which such offence has been, is being, or is likely to be committed, are kept or concealed; and

(b) issue a warrant for the arrest of any person whom he has reason to believe to have been, to be or to be likely to be engaged in the commission of any such offence.

Power of excise officer to search without warrant.

48. (1) Whenever any excise officer not below such rank as the Local Government may by notification prescribe, has reason to believe that an offence punishable under section 59, section 60, section 61, or section 62, has been, is being, or is likely to be committed in any place, and that a search-warrant cannot be obtained without affording the offender an opportunity of escape or of concealing evidence of the offence, he may, at any time, by day or night, enter and search such place.

Further powers of seizure, detention, search and arrest.

(2) Every excise officer as aforesaid may seize anything found in such place which he has reason to believe to be liable to confiscation under this Act, and may detain and search and, if he thinks proper, arrest any person found in such place whom he has reason to believe to be guilty of such offence as aforesaid.

Procedure relating to arrests, searches, etc.

49. Save as in this Act otherwise expressly provided, the provisions of the Code of Criminal Procedure, 1898, relating to arrests, detentions in custody, searches, summonses, warrants of arrest, search-warrants, production of persons arrested and investigation of offence shall be held to be applicable to all action taken in these respects under this Act:

Provided that—

(1) any offence under this Act may be investigated by an officer empowered under section 45 without the order of a magistrate;

(2) whenever an excise officer below the rank of Collector makes any arrest, seizure or search he shall within twenty-four hours thereafter make a full report of all the particulars of the arrest, seizure or search to his immediate official superior, and shall, unless bail be accepted under section 71, take or send the person arrested, or the article seized, with all convenient despatch to a magistrate for trial or adjudication.

50. (a) Every owner or occupier of land and the agent of any such owner or occupier of land on which—

Duty of landholders and others to give information.

(b) Every lambardar, village headman, village accountant, village watchman, village policeman and every officer employed in the collection of revenue or rent of land on the part of Government or the Court of Wards in whose village—

there shall be any manufacture or illegal import or collection of any excisable article not licensed under this Act, or any unlawful cultivation of any plants from which an intoxicating drug can be produced, shall be bound, in the absence of reasonable excuse, to give notice of the same to a magistrate or to an officer of the excise, police or land revenue department as soon as the fact comes to his knowledge.

51. Every officer in charge of a police station shall take charge of and keep in safe custody, pending the orders of a magistrate or of the Collector, or of an officer empowered under section 45 (1) to investigate the case, all articles seized under this Act which may be delivered to him, and shall allow any excise officer who may accompany such articles to the police station, or may be deputed for the purpose by his superior officer to affix his seal to the articles and to take samples of and from them. All samples so taken shall also be sealed with the seal of the officer in charge of the police station.

Duty of officer in charge of police station to take charge of articles seized.

52. (1) The District Magistrate or a Sub-Divisional Magistrate by notice in writing to the licensee may require that any shop in which any excisable article is sold shall be closed at such times or for such period as he may think necessary for the preservation of the public peace.

Power to close shops for the sake of public peace.

(2) If a riot or unlawful assembly is apprehended or occurs in the vicinity of any such shop, a magistrate of any class, or any police officer above the rank of constable who is present, may require such shop to be kept closed for such period as he may think necessary:

Provided that where any such riot or unlawful assembly occurs the licensee shall, in the absence of such magistrate or police officer, close his shop without any order.

(3) When any Sub-Divisional Magistrate makes a direction under sub-section (1) or any magistrate or police officer makes a direction under sub-section (2), he shall forthwith inform the Collector of his action and his reasons therefor.

CHAPTER VIII.

References Act XII of 1896.

GENERAL PROVISIONS.

53. Every person who manufactures or sells any excisable article under a license granted under this Act shall be bound—

Measures, weights and testing instruments.

(a) to supply himself with such measures, weights and instruments as the Financial Commissioner may prescribe, and to keep the same in good condition; and

(b) on the requisition of any excise officer duly empowered by the Collector in that behalf, at any time to measure, weigh or test any excisable article in his possession in such manner as the said excise officer may require.

54. The Local Government may, by notification, either wholly or partially and subject to such conditions as it may think fit to prescribe, exempt any excisable article from all or any of the provisions of this Act. 66

Power of Local Government to exempt excisable articles from the provisions of the Act.

55. No suit shall lie in any civil court against the Secretary of State for India in Council or any officer or person for damages for any act in good faith done, or ordered to be done, in pursuance of this Act or of any other law for the time being in force relating to the excise revenue.

Bar of certain suits.

56. (1) The Local Government may, by notification, make rules for the purpose of carrying out the provisions of this Act or any other law for the time being in force relating to excise revenue. 19

Power of Local Government to make rules.

(2) In particular, and without prejudice to the generality of the foregoing provision, the Local Government may make rules—

(a) prescribing the duties of excise officers;

(b) regulating the delegation of any powers by the Financial Commissioner, Commissioner or Collector, under section 12, clause (b);

(c) prescribing the time and manner of presenting, and the procedur for dealing with appeals from orders of excise officers;

REFERENCES: Act XII of 1896.

(*d*) regulating the import, export, transport or possession of any excisable article;

(*e*) regulating the periods and localities for which, and the persons, or classes of persons, to whom, licenses, permits and passes for the vend by wholesale or by retail of any excisable article may be granted and regulating the number of such licenses which may be granted in any local area;

(*f*) for the prohibition of the sale of any excisable article to any person or class of persons;

(*g*) regulating the power of excise officers to summon witnesses from a distance;

(*h*) regulating the grant of expenses to witnesses and to persons charged with offences under this Act and subsequently released, discharged or acquitted;

(*i*) for the prohibition of the employment by a license-holder of any person or class of persons to assist in his business in any capacity whatsoever;

(*j*) for the prevention of drunkenness, gambling or disorderly conduct in or near any licensed premises, and the meeting or remaining of persons of bad character in such premises.

Power of Financial Commissioner to make rules.

57. The Financial Commissioner may, by notification, make rules—

(*a*) regulating the manufacture, supply, storage or sale of any excisable article, including—

(*i*) the character, erection, alteration, repair, inspection, supervision, management and control of any place for the manufacture, supply, storage or sale of such article and the fittings, implements, apparatus and registers to be maintained therein;

(*ii*) the cultivation of the hemp or coca plant and the collection of spontaneous growth of such plant and the preparation of any intoxicating drug;

(*iii*) the tapping or drawing of tari from any tari-producing tree:

(*b*) regulating the bottling of liquor for purposes of sale:

(*c*) regulating the deposit of any excisable article in a warehouse and the removal of any excisable article from any warehouse or from any distillery or brewery:

(*d*) prescribing the scale of fees or the manner of fixing the fees payable in respect of any license, permit or pass, or in respect of the storing of any excisable article:

(*e*) regulating the time, place and manner of payment of any duty or fee:

(*f*) prescribing the authority by, the restrictions under and the conditions on, which any license, permit or pass may be granted, including provision for the following matters:—

(*i*) the prohibition of the admixture with any excisable article of any substance deemed to be noxious or objectionable;

(*ii*) the regulation or prohibition of the reduction of liquor by a licensed manufacturer or licensed vendor from a higher to a lower strength;

(*iii*) the fixing of the strength, or price below, which any excisable article shall not be sold, supplied or possessed;

(*iv*) the prohibition of sale of any excisable article except for cash;

(*v*) the fixing of the days and hours during which any licensed premises may or may not be kept open, and the closure of such premises on special occasions;

(*vi*) the specification of the nature of the premises in which any excisable article may be sold and the notices to be exposed at such premises;

(*vii*) the form of the accounts to be maintained and the returns to be submitted by license-holders; and

(*viii*) the prohibition or regulation of the transfer of licenses:

(*g*) (*i*) declaring the process by which spirit shall be denatured;

(*ii*) for causing spirit to be denatured through the agency or under the supervision of its own officers;

(*iii*) for ascertaining whether such spirit has been denatured:

(*h*) providing for the destruction or other disposal of any excisable article deemed to be unfit for use:

(*i*) regulating the disposal of confiscated articles:

(*j*) prescribing the amount of security to be deposited by holders of leases, licenses, permits or passes for the performance of the conditions of the same.

Recovery of dues.

58. (*1*) The following monies, namely,—

(*a*) all excise revenue,

(*b*) any loss that may accrue, when in consequence of default a grant has been taken under management by the Collector or has been resold by him under section 38, and

(*c*) all amounts due to Government by any person on account of any contract relating to the excise revenue,

may be recovered from the person primarily liable to pay the same, or from his surety (if any), by distress and sale of his moveable property, or by any other process for the recovery of arrears of land revenue due from land-holders or from farmers of land or their sureties.

(2) When a grant has been taken under management by the Collector or has been resold by him under section 38, the Collector may recover, in any manner authorized by sub-section (*1*), any money due to the defaulter by any lessee or assignee.

(3) In the event of default by any person licensed or holding a lease under this Act all his distillery, brewery, warehouse or shop premises, fittings or apparatus and all stocks of excisable articles or materials for manufacture of the same held in or upon any distillery, brewery, warehouse or shop premises shall be liable to be attached in satisfaction of any claim for excise revenue or in respect of losses incurred by Government through such default and to be sold to satisfy such claim, which shall be a first charge upon the sale-proceeds.

CHAPTER IX.

OFFENCES AND PENALTIES.

Penalty for unlawful import, export, transport, manufacture, possession, etc.

59. (*1*) Whoever, in contravention of any section other than sections 28 and 29 of this Act or of any rule, notification issued or given thereunder or order made, or of any license, permit or pass granted under this Act—

(*a*) imports, exports, transports, manufactures, collects or possesses any excisable article ; or

(*b*) constructs or works any distillery or brewery ; or

(*c*) uses, keeps or has in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing any excisable article other than tari ;

shall be punishable for every such offence with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both :

Provided that when any person is convicted under this section of any offence committed in respect to cocaine or any of the synthetics thereof, he shall be punishable for every such offence with imprisonment which may extend to one year or with fine which may extend to two thousand rupees, or with both ;

REFERENCE Act XII of 1896.

Penalty for unlawful import, export, transport, manufacture, possession, sale, etc.

(2) Whoever, in contravention of any section other than sections 28 and 29 of this Act or of any rule, notification issued or given thereunder or order made, or of any license, permit or pass granted under this Act—

(*a*) sells any excisable article ; or

(*b*) cultivates the hemp or coca plant ; or

(*c*) removes any excisable article from any distillery, brewery or warehouse established or licensed under this Act ; or

(*d*) bottles any liquor for the purposes of sale ; or

(*e*) taps or draws tari from any tari-producing tree ;

shall be punishable for every such offence with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees, or with both :

Provided that when any person is convicted under this section of any offence committed in respect to cocaine or any of the synthetics thereof, he shall be punishable for every such offence with imprisonment which may extend to one year or with fine which may extend to two thousand rupees, or with both.

Penalty for unlawfully selling to persons under sixteen, or employing children or women.

60. If any licensed vendor, or any person in his employ or acting on his behalf—

(*a*) in contravention of section 28 sells or delivers any spirit or intoxicating drug to any person apparently under the age of sixteen years ; or

(*b*) in contravention of section 29, employs or permits to be employed on any part of his licensed premises referred to in that section any child or woman ; or

(*c*) sells any excisable article to a person who is drunk or intoxicated ; or

(*d*) permits drunkenness, intoxication, disorderly conduct or gaming on the premises of such licensed vender ; or

(*e*) permits any person whom he knows or has reason to believe to have been convicted of any non-bailable offence or any reputed prostitute to frequent his premises, whether for the purposes of crime or prostitution or not ;

he shall in addition to any other penalty to which he may be liable be punishable with a fine which may extend to five hundred rupees,

REFERENCES: Act XII of 1896.

When any licensed vendor or any person in his employ or acting on his behalf is charged with permitting drunkenness or intoxication on the premises of such vendor, and it is proved that any person was drunk or intoxicated on such premises, it shall lie on the person charged to prove that the licensed vendor or the person employed by him or acting on his behalf took all reasonable steps for preventing drunkenness or intoxication on such premises.

Penalty for attempting to render denatured spirit fit for human consumption.

61. Whoever attempts to render fit for human consumption any spirit, whether manufactured in British India or not, which has been denatured, or has in his possession any spirit in respect of which he knows or has reason to believe that any such attempt has been made, shall be punished with imprisonment for a term which may extend to three months, or with fine, which may extend to one thousand rupees, or with both.

Penalty for fraud by licensed manufacturer or vendor or his servant.

62. If any licensed manufacturer or licensed vendor, or any person in his employ and acting on his behalf,—

(a) sells, or keeps or exposes for sale, as foreign liquor any liquor which he knows or has reason to believe to have been manufactured from rectified spirit or country liquor ; or

(b) marks any bottle, case, package or other receptacle containing liquor so manufactured from rectified spirit or country liquor, or the cork of any such bottle, or deals with any bottle, case, package or other receptacle containing such liquor with the intention of causing it to be believed that such bottle, case, package, or, other receptacle contains foreign liquor

he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

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Penalty for certain acts by licensee or his servant.

63. Whoever, being the holder of a license, permit or pass granted under this Act, or being in the employ of such holder and acting on his behalf,—

(a) fails wilfully to produce such license, permit or pass on the demand of any excise officer or of any other officer duly empowered to make such demand ; or

(b) in any case not provided for in section 59 wilfully contravenes any rule made under section 56 or section 57 ; or

(c) wilfully does or omits to do anything in breach of any of the conditions of the license, permit or pass not otherwise provided for in this Act ;

shall be punishable in case (a) with fine which may extend to two hundred rupees, and in case (b) or case (c) with fine which may extend to five hundred rupees.

Penalty for consumption in chemist's shop, etc.

64. (1) If any chemist, druggist, apothecary or keeper of a dispensary allows any excisable article which has not been *bonâ fide* medicated for medicinal purposes to be consumed on his business premises by any person not employed in his business, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

(2) If any person not employed as aforesaid consumes any such excisable article on such premises, he shall be punishable with a fine which may extend to two hundred rupees.

Manufacture, sale or possession by one person on account of another.

65. (1) When any excisable article has been manufactured or sold or is possessed by any person on account of any other person, and such other person knows or has reason to believe that such manufacture or sale was, or that such possession is, on his account, the article shall for the purposes of this Act be deemed to have been manufactured or sold by or to be in the possession of such other person.

(2) Nothing in sub-section (1) shall absolve any person who manufactures, sells or has possession of an excisable article on account of another person from liability to any punishment under this Act for the unlawful manufacture, sale or possession of such article.

Penalty for offences not otherwise provided for.

66. Whoever is guilty of any act or intentional omission in contravention of any of the provisions of this Act, or of any rule, notification or order made, issued or given thereunder, and not otherwise provided for in this Act, shall be punishable for every such act or omission with a fine which may extend to two hundred rupees.

Attempt to commit offences punishable under the Act.

67. Whoever attempts to commit any offence punishable under this Act shall be liable to the punishment provided for the offence.

Penalty for excise officer making vexatious search, etc.

68. If an excise officer—

(a) vexatiously and unnecessarily enters or searches, or causes to be entered or searched, any place under colour of exercising any power conferred by this Act ; or

(b) vexatiously and unnecessarily seizes the moveable property of any person on the pretence of seizing or searching for any article liable to confiscation under this Act ; or

(c) vexatiously and unnecessarily searches, arrests or detains any person ; or

(d) without lawful excuse ceases or refuses to perform or withdraws himself from the duties of his office unless expressly allowed to

do so in writing by the Collector or unless he shall have given to his immediate superior officer two months' notice in writing of his intention to do so;

he shall be liable to imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

Report by investigating officer.

69. If on an investigation by an excise officer, empowered under section 45, sub-section (1), it appears that there is sufficient evidence to justify the prosecution of the accused, the investigating officer, unless he proceeds under section 45, sub-section (2), or unless he submits the case for the orders of the Collector under section 78, shall submit a report (which shall for the purposes of section 190 of the Code of Criminal Procedure, 1898, be deemed to be a police-report) to a magistrate having jurisdiction to enquire into or try the case and empowered to take cognizance of offences on police-reports.

Offences to be bailable.

70. All offences punishable under this Act shall be bailable within the meaning of the Code of Criminal Procedure, 1898.

Security for appearance in case of arrest without warrant.

71. (1) The Local Government may empower any excise officer to grant bail, notwithstanding that such officer is not empowered under section 45.

(2) When a person is arrested under this Act, otherwise than on warrant, by a person or officer who is not empowered to grant bail, he shall be produced before or forwarded to—

(a) the nearest excise officer empowered to grant bail, or

(b) the nearest officer in charge of a police station,

whoever is nearer.

(3) Whenever any person arrested under this Act, otherwise than on a warrant, is prepared to give bail, and is arrested by, or produced in accordance with sub-section (2) before an officer empowered to grant bail, he shall be released upon bail, or, at the discretion of the officer releasing him, on his own bond.

(4) The provisions of sections 499 to 502, 513, 514 and 515 of the Code of Criminal Procedure, 1898, shall apply, so far as may be, in every case in which bail is accepted or a bond taken under this section.

Enhanced punishment after previous conviction.

72. If any person, after having been previously convicted of an offence punishable under section 59, section 60, section 61, section 62, or section 64 or under the similar provisions in any enactment repealed by this Act, subsequently commits and is convicted of an offence punishable under any of those sections, he shall be liable to twice the punishment which might be imposed on a first conviction under this Act: REFERENCES: Act XII of 1896.

Provided that nothing in this section shall prevent any offence which might otherwise have been tried summarily under chapter XXII of the Code of Criminal Procedure, 1898, from being so tried. India Act V 1898.

Cognizance of offences.

73. (1) No magistrate shall take cognizance of an offence punishable— 57

(a) under section 59 or section 64 except on his own knowledge or suspicion or on the complaint or report of an excise officer, or

(b) under section 60, section 61, section 62, section 63, section 66 or section 68, except on the complaint or report of the Collector or an excise officer authorised by him in that behalf.

(2) Except with the special sanction of the Local Government, no magistrate shall take cognizance of any offence punishable under this Act, unless the prosecution is instituted within a year after the date on which the offence is alleged to have been committed.

Presumption as to commission of offence in certain cases.

74. Whenever any person is found in possession of—

(a) any still, utensil, implement or apparatus whatsoever for the manufacture of any excisable article other than tari,

(b) any materials which have undergone any process towards the manufacture of an excisable article or from which an excisable article has been manufactured,

the burden of proving that such possession was lawful shall lie upon such person.

Liability of employer for offence committed by employé or agent.

75. The holder of a license, permit or pass under this Act, as well as the actual offender, shall be liable to punishment, for any offence punishable under section 59, section 60, section 61, section 62 or section 63, committed by any person in his employ and acting on his behalf as if he had himself committed the same, unless he shall establish that all due and reasonable precautions were exercised by him to prevent the commission of such offence:

Provided that no person other than the actual offender shall be punished with imprisonment except in default of payment of fine.

REFERENCES: Act XII of 1896. 51

76. (1) Whenever an offence punishable under this Act has been committed,—

Confiscation of article in respect of which offence committed.

(a) every excisable article in respect of which such offence has been committed;

(b) every still, utensil, implement or apparatus and all materials in respect of or by means of which such offence has been committed;

(c) every excisable article lawfully imported, transported, manufactured, had in possession or sold along with, or in addition to, any excisable article liable to confiscation under clause (a);

(d) every receptacle, package and covering in which any excisable article, materials, still, utensil, implement or apparatus as aforesaid is or are found together with the other contents (if any) of such receptacle or package; and

(e) every animal, cart, vessel, raft or other conveyance used in carrying such receptacle, package covering or articles as aforesaid;

shall be liable to confiscation:

Provided that no animal, cart, vessel, raft or other conveyance or articles as aforesaid shall be liable to confiscation unless the owner thereof is proved to have been implicated in the commission of the offence.

(2) When in the trial of any offence punishable under this Act the magistrate decides that anything is liable to confiscation under sub-section (1), he may order confiscation:

When confiscation may be ordered.

Provided that in lieu of ordering confiscation he may give the owner of the thing liable to be confiscated an option to pay such fine as the magistrate thinks fit.

61 77. When there is reason to believe that an offence under this Act has been committed, but the offender is not known or cannot be found and when any thing liable to confiscation under this Act and not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by the Collector, who may order confiscation:

Further provisions for confiscation.

Provided that no such order shall be made until the expiration of one month from the date of seizing the thing or animal in question or without hearing the person (if any) claiming any right thereto, and the evidence (if any) which he produces in support of his claim:

Provided, further, that if the thing in question is liable to speedy and natural decay, or if the Collector is of opinion that the sale of the thing or animal in question would be for the benefit of its owner, the Collector may at any time direct it to be sold; and the provisions of this section shall, so far as may be, apply to the net proceeds of such sale.

78. (1) The Collector may accept from any person who is reasonably suspected of having committed an offence punishable under section 60, section 63 or section 66 of this Act a sum of money by way of composition for such offence; and on the payment of such sum of money to the Collector the accused person if in custody shall be discharged and no further proceedings shall be taken against him in respect of such offence.

Power of excise officers to compound offences.

(2) The cancellation or suspension of any license, permit or pass under section 35 (a), (b) or (c) of this Act may be foregone or revoked by and at the sole discretion of the authority having power to cancel or suspend it on payment by the holder of such license, permit or pass of such penalty as such authority may fix.

(3) Where any excisable article has been seized under the provisions of this Act, the Collector may, in his discretion, at any time before a Magistrate has passed an order under section 76, sub-section (2), release it on payment of the value thereof.

SCHEDULE.

See section 2.

ENACTMENTS REPEALED.

Year.	Number.	Short title.	Extent of repeal.
ACTS OF THE GOVERNOR-GENERAL IN COUNCIL.			
1863	XVI	The Excise (Spirits) Act, 1863.	The whole.
1894	VIII	The Indian Tariff Act, 1894.	Section 6.
1896	XII	The Excise Act, 1896.	The whole.
1906	VII	The Excise (Amendment) Act, 1906.	The whole.

S. W. GRACEY,
Secretary, Legislative Council.

M. W. FENTON,
Member.

STATEMENT OF OBJECTS AND REASONS.

The necessity for legislation to give effect to the recommendations of the Indian Excise Committee of 1905-06 has already been brought to public notice in connection with the Bengal and United Provinces Excise Acts of 1909 and 1910, and in explanation of similar legislation for the Province of the Punjab it will suffice to reproduce the following extracts from the Statement of Objects and Reasons appended to the Bill which became law as United Provinces Act, IV of 1910:—

"In 1905 an Excise Committee was appointed by the Government of India to investigate the various systems of excise administration obtaining in each Province of British India, and to report how far they were calculated to give the fullest practical effect to the general policy of the Government of India in excise matters as declared in resolution No. 5001 Exc., of the Finance Department, dated the 7th September 1905.

"In connection with this investigation the Committee was instructed to consider whether the various defects in the Excise Act, 1896 (XII of 1896), which had been brought to notice rendered it desirable that the Act in question should be completely repealed, and, if so, to indicate the main lines on which fresh legislation was required.

"The Committee after a careful scrutiny of the Act decided in favour of repeal. They pointed out that the Act was unsuited to modern conditions, and that it was an obstacle in the way of improved methods of excise administration.

"Among other defects the following were specially brought to notice:—

"(a) that the Act provides only for the sadr distillery system in its crudest form;

"(b) that it ignores the subject of the wholesale vend of liquor;

* * * * * *

"(d) that the procedure laid down does not provide sufficiently for the detection of offences and the arrest of offenders;

"(e) that the power of inspection is unnecessarily restricted; and

"(f) that the provisions for the making of statutory rules are imperfect.

"The Committee expressed the opinion that a fresh enactment of general application ought to be framed and that the new law should proceed on the lines followed in the Madras Akbari Act of 1886. That enactment is permissive in character, and while it requires that the manufacture, possession and sale of excisable articles shall be covered by license granted by due authority, in other respects it merely indicates the broad lines on which the abkari system is to be conducted and the nature of the control which may be exercised, leaving points of detail to be determined by rules framed under the Act and having the force of law.

"As contrasted with the Madras Act, the Excise Act, 1896, is not enabling but restrictive; and in common with all other Acts, drafted on the same rigid model, it is open to the objection that by providing only for specific systems, it either checks or renders impossible the adoption of improved methods suggested by further experience. Every new development which appears has to be met by recourse to fresh legislation.

"The Government of India have accepted the conclusions of the Excise Committee as to the necessity for a new enactment, and have approved of the lines on which, as suggested by the Committee, the new Act should be framed. They have, however, decided that, instead of an Act of general application being passed, each Province should legislate for itself.

* * * * * *

As in the case of the United Provinces Bill the present Punjab draft has been modelled on the draft Bill prepared by the Excise Committee: but consideration has also been paid to the modifications of that draft which have been introduced in the recent Bengal and United Provinces legislation. The framers of the present Bill have also profited by the discussions which have taken place in connection with the Central Provinces Excise Bill. The particular circumstances of the Excise Administration of the Punjab have been very carefully considered and where necessary a departure from the models referred to above has been made to meet them.

S. W. GRACEY,
Secretary, Legislative Council.

M. W. FENTON,
Member.

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PUNJAB AND ITS DEPENDENCIES.

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LAHORE, FRIDAY, MAY 2, 1913.

PART V.

Proceedings of the Council of the Lieutenant-Governor of the Punjab assembled for the purpose of making Laws and Regulations

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab, assembled for the purposes of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 *to* 1909.

THE Council met at the Council Chamber, Government House, Lahore, at 10 A.M. on Friday, the 18th April 1913.

PRESENT:

His Honour Sir LOUIS WILLIAM DANE, G.C.I.E., C.S.I., D.C.L., I.C.S., Lieutenant-Governor, *Presiding*.

The Hon'ble Sardar SUNDAR SINGH, MAJITHIA, Sardar Bahadur.
The Hon'ble Mr. JOHN CORNWALLIS GODLEY.
The Hon'ble Sardar DALJIT SINGH of Jullundur.
The Hon'ble Mr. CLAUD ALEXANDER BARRON, C.I.E., I.C.S.
The Hon'ble Mr. ALEXANDER HENDERSON DIACK, M.V.O., I.C.S.
The Hon'ble Mr. MICHAEL WILLIAM FENTON, C.S.I., I.C.S.
The Hon'ble Nawab Sir BAHRAM KHAN, K.C I.E.
The Hon'ble Babu GAJJAN SINGH.
The Hon'ble Rai Bahadur Bakhshi SOHAN LAL.
The Hon'ble Khan Bahadur Khwaja YUSAF SHAH.
The Hon'ble Rai Bahadur RAM SARAN DAS.
The Hon'ble Rai Bahadur HARI CHAND.
The Hon'ble Mr. JAMES CURRIE.
The Hon'ble Lala KASHI RAM.
The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI.
The Hon'ble Mr. PATRICK JAMES FAGAN, I.C.S.
The Hon'ble Nawab IBRAHIM ALI KHAN of Kunjpura.
The Hon'ble Rai Bahadur SHADI LAL.
The Hon'ble Malik MUHAMMAD AMIN KHAN of Shamsabad.
The Hon'ble Mr. REGINALD ARTHUR MANT, I.C.S.
The Hon'ble Mr. STEPHEN WILLIAM GRACEY, I.C.S.

[*Mr. Muhammad Shafi ; Mr. Barron ; Mr. Godley.*]

QUESTIONS AND ANSWERS

The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI asked the following questions :—" During the final Budget debate last year, the Hon'ble Mr. Barron informed the Council that the Government was making inquiries in connection with the disparity in the emoluments of Munsifs in this province as compared with those of other Indian Provinces. Will the Government be pleased to state :—

(*a*) What has been the result of these inquiries ?

(*b*) What steps, if any, does the Government propose to take towards removal of the great disparity as revealed by the answer to my question asked in the Imperial Legislative Council in March 1912 ?"

The Hon'ble Mr. BARRON replied :—" The inquiries referred to by the Hon'ble Member showed that both as regards jurisdiction and salary the higher grades of Munsifs in the United Provinces and Bengal correspond, as I suggested last year might be found to be the case, to the class of Civil Judges whom we in the Punjab designate Extra Assistant Commissioners or Subordinate Judges. As the disparity in salaries of Munsifs here and elsewhere is therefore largely one of nomenclature no further action in the matter appeared to be necessary. The Hon'ble Member is doubtless aware that in 1909 the pay of Munsifs in the Punjab was improved by the abolition of the lowest grade on Rs. 150 per mensem, and the regrading of the establishment of Munsifs in three grades on Rs. 250, Rs. 200 and Rs. 175 per mensem. Only recently a similar step has been taken with regard to the establishment of Tahsildars by the abolition of the old Rs. 150 grade thus placing them also in three grades of Rs. 250, Rs. 200 and Rs. 175 per mensem."

The Hon'ble Khan Bahadur MIAN MUHAMMAD SHAFI asked :—" Will the Government be pleased to state :—

(*a*) What was the total number of vacancies in the posts of Munsifs and Extra Assistant Commissioners in the Punjab during the year 1912 ?

(*b*) How many of these vacancies were filled up by selection from among the ranks of the Legal Profession ? "

The Hon'ble MR. BARRON replied :—" The number of vacancies among Extra Assistant Commissioners in the Punjab in 1912 was 15, but 8 of these vacancies were absorbed by officers returning from foreign service and special duty. The number of vacancies among Munsifs was 8. One vacancy among the Munsifs was filled by selection from the Legal Profession.

The Hon'ble Khan Bahadur MIAN MUHAMMAD SHAFI asked :—" With reference to the Budget Estimates for the financial year 1913-14 Provincial expenditure (22)—Education, will the Government be pleased to state what proportion out of the total sum allotted to this head is to be spent for the extension of primary education in the Punjab, what is the total number of new primary schools which the Government intends to establish, and how is the total sum reserved for this object to be distributed among the various Provincial Divisions or Committees, as the case may be ?"

The Hon'ble Mr. GODLEY replied :—" The Hon'ble Member's question does not make it clear whether by the term " extension " he means simply the addition of new schools or the general improvement of primary education

[*Mr. Godley ; Mr. Shadi Lal ; Mr. Barron.*]

including additions to the teaching staff, the enhancement of teachers' pay the opening of institutions for training teachers, the provision of school buildings, and so forth. Separate provision is not made in the budget for extension in the narrower sense, but the allotments under the various heads have been increased so as to cover probable demands for expansion of all kinds, and the lump provision which has been added to the original estimate includes a new recurring grant of Rs. 1,23,000 from the Government of India which is ear-marked for primary education, besides large sums for capital expenditure on buildings. Roughly speaking, it is probable that some 8½ lakhs will be paid to local bodies during the current year, as compared with Rs. 6,36,000 in 1912-13, for the maintenance of vernacular schools, exclusive of grants for buildings. As regards the second and third parts of the question, if the Hon'ble Member will refer to the last report on education in the province and also to the statement which I made in this Council when introducing the budget, he will see that Government does not establish primary schools directly, but finances the establishment of such schools by local bodies to the extent of two-thirds of the cost of each school. A general estimate of the cost of expansion has been framed for the province, and the district boards have been asked to follow definite programmes of expansion, but the precise number of schools to be opened during a particular year in each district and the location of such schools are left to the discretion of these bodies. Estimates of the number of new schools which will be added in 1913-14 have not been received as yet, but it will be possible later in the year to give an approximate figure."

The Hon'ble Rai Bahadur SHADI LAL asked :—"Is it a fact that the posts of Mistresses in the Normal School for Women and of the inspecting staff of Female Schools have been excluded from the regular cadre of the Subordinate Educational Service and classified as special posts and will carry their old rates of pay ? (*a*) Will the Government be pleased to state why the persons holding the above posts have been deprived of the benefits of the recent reorganisation ? (*b*) Will the Government, in the interests of female education, consider the desirability of including the above-mentioned posts in the regular cadre of the Subordinate Educational Service or compensate their incumbents in some other suitable manner ? "

The Hon'ble Mr. GODLEY replied :—"The Hon'ble Member is correct in stating that the cadre of the Subordinate Educational Service, as recently reorganised, does not contain the teaching posts of the Lahore Normal School for Women or the posts of the two Assistant Inspectresses of Schools which were included in the former list. It is not a fact, however, that the posts referred to will carry their old rates of pay, as revised schemes have been sanctioned in both instances under which qualified incumbents will draw their pay at the new rates. It was considered that it would be more convenient and more advantageous to the holders of these special appointments to keep them off the general cadre."

The Hon'ble Rai Bahadur SHADI LAL asked :—"(*a*) Is it a fact that the question of the pay, prospects, etc., of the Civil Assistant Surgeons in the Punjab is not at present included within the scope of the enquiry by the Royal Commission on Public Services ?

"(*b*) In view of many important matters relating to the Subordinate Medical Service in the Punjab which deserve the special attention of the Commission, will the Government be pleased to recommend their inclusion in the subjects of enquiry by the Commission ? "

The Hon'ble Mr. BARRON replied :—"The answer to the first part of the question is in the negative. The conditions of service of Civil Assistant

[*Babu Gajjan Singh ; Mr. Mant.*]

Surgeons are being considered by the Royal Commission, and several members of the Subordinate Medical Service in the Punjab have been requested by the Inspector-General of Civil Hospitals to submit their views on questions that affect their service. Their answers are already in the hands of the Royal Commission."

The Hon'ble Babu GAJJAN SINGH asked :—" 1. Is the Government aware that the Railway authorities have closed the level-crossing connecting the city of Ludhiana with the Courts and Civil Lines for wheel traffic, and thereby deprived the public of their right to use a very convenient, old and much frequented road ?

" 2. Is the Government aware that some very sad accidents resulting in death of persons being run over have occurred over the said level-crossing during the last two years ?

" 3. Is the Government aware that the road leading to the subway for wheel traffic instead of the old level-crossing is circuitous, undulating, inconvenient and dangerous, especially in rainy season, when water in large quantity accumulates over it and the drainage that passes along the road) overflows its banks, fills the subway with foul and dirty water ?

" 4. Is the Government aware that these grievances were represented by the citizens, Municipal Committee and the District Board, Ludhiana, to the Government, and that these representations were supported by local authorities ?

" 5. In view of the above-mentioned facts will the Government be pleased to move the Governor-General in Council to order the Railway authorities under section 14 (*b*), Railway Act, for public safety and convenience, to construct an overbridge on the old crossing or to take such other steps as the Government considers fit ? "

The Hon'ble Mr. MANT replied :—" The Government is aware that the level-crossing has been closed, and that the present arrangements are inconvenient and dangerous. The Lieutenant-Governor represented the matter to the Agent, North-Western Railway, in February last, and the latter has replied that the construction of a foot overbridge at the north end of the Ludhiana Yard has been delayed by a project for remodelling the yard, but that the plans of the yard have now been settled, and he hopes that the construction of this foot overbridge will shortly be taken in hand. The Agent is also considering the question of constructing a road overbridge at the south end of the Ludhiana Station. Further, Sir Henry Burt has just written to say that the Railway administration will look into the complaints about the condition of the roadway under the subway with a view to seeing whether the roadway can be improved. In the circumstances the Government does not think it necessary at present to take the action suggested by the Hon'ble Member."

The Hon'ble Babu GAJJAN SINGH asked :—" (*a*) Will the Government be pleased to state what is the number of school-going boys of Sikh and Hindu Jats in each district of the Province, and what is their proportion to the total number of boys receiving education in each district, and also what is their proportion over population of school-going age ?

" (*b*) Considering that the Hindu and Sikh Jats of the Province are educationally backward, will the Government be pleased to state what steps are proposed to be taken to bring them up to the level of other communities of the Province in the matter of education ? "

[*Mr. Godley ; Lala Kashi Ram ; Mr. Barron.*]

The Hon'ble Mr. GODLEY replied :—"I am sorry that it is impossible to supply the Hon'ble Member with the detailed information which he asks for, as Sikh and Hindu Jats are not shown as a separate class in our educational statistics.

"Education among Hindu and Sikh Jats is encouraged by the provision of special 'Zamindari' scholarships reserved for pupils belonging to these classes. Particulars regarding Zamindari scholarships are given in articles 162-165 of the Education Code."

The Hon'ble Lala KASHI RAM asked :—"Has the attention of the Government been drawn to a letter headed "Qabil-i-twajjuh Hazur Lieutenant-Governor Bahadur Punjab" (worthy of the attention of His Honour the Lieutenant-Governor of the Punjab), of the inhabitants of Rani-Ka-Raipur, Ambála district, in the *Akhbar-i-'Am* of the 18th January 1913?

"2. Will the Government be pleased to state whether the said inhabitants submitted a memorial to the Government alleging that the proposed building of the new Thana on the site proposed was in the close proximity of the cremation ground and of the tank which was used for bathing by the public and would on that account cause much inconvenience and discomfort to the inhabitants generally and to their womenfolk especially and would materially affect their use of the said tank?

"3. If so, had any enquiry been made and by whom? Will the Government be pleased to state whether the proposed site is in close proximity to the cremation ground and to the tank used as above stated.

"4. And whether the proposed building would interfere with the user of the tank as above stated and as such was likely to cause inconvenience and discomfort?

"5. Whether the Biswadar was willing to allow the use of any other suitable site for the new Thana?

"6. What were the special reasons for selection of the proposed site for the new Thana?

"7. And whether in view of the close proximity as aforesaid and of inconvenience and discomfort caused, it would not be desirable to shift the site to a distance so as to remove the grievances of the said inhabitants of Rani-Ka-Raipur?"

The Hon'ble Mr. BARRON replied :—"The attention of Government has been directed to the letter in question. Two petitions were received by Government on the subject. Both the Superintendent of Police and the Deputy Commissioner have visited the site. The Superintendent, Police, proclaimed by beat of drum that he would consider the petitions at the village of Garhi one mile from the site. The petitions are signed by less than 100 people out of a total population of about 4,000 souls. Of those who signed only 16 appeared before the Superintendent of Police to have their objections enquired into. The Deputy Commissioner reports as follows :—

"'The site was chosen in 1906 by Mr. Temple (Superintendent, Police) with the concurrence of Major Lowis, Deputy Commissioner, who appears to have carefully weighed all objections. Last hot weather the present Deputy Commissioner visited the place and in deference to representations made had the well in front of the thana excluded from the area acquired. The objections as to the proximity of the tank have little weight as the tank is in full view of the high road. The proposed site commands the most important road leading from Raipur and will save the town from the depredations of the badmashes of Ratour, where, chiefly on representations made by the inhabitants of Raipur, a punitive police post has, for some years, been located.

[*Lala Kashi Ram ; Mr. Barron.*]

"'The Biswadar has been declared incapable of managing his own affairs. The Court of Wards, which is in charge of his property, would certainly agree to any site desired by Government, but there can be no question that the site proposed is the only suitable one, and the petitioners have failed signally to show any other site that would meet requirements They have actually asked the Deputy Commissioner to locate it in a garden at a considerable distance from either the town or the public road. The building is under construction the objections are unreal and public feeling against it is practically non-existent. As for the cremation ground if any one suffers inconvenience by its proximity it will be the police.'

"Government considers that the fullest consideration has been given to the representations that have been made and proposes to allow the construction of the building to continue."

The Hon'ble Lala KASHI RAM asked :—"1. Is it a fact that in some districts Extra Assistant Commissioners exercising civil and criminal powers are required to be constantly moving about on tour forcing the litigants and their witnesses to follow them wherever they may be for the purposes of their cases? Will the Government state what are the Government orders on the subject, and in how many and what districts such orders are in force?

"2. Is it a fact that in consequence of this practice the parties and their witnesses are put to a great deal of inconvenience and unnecessary expenditure? Is it also a fact that a large number of civil cases thus dealt with have to be dismissed in default and the parties find it difficult to bring them to a decision?

"3. Is it a fact that in criminal cases the accused persons cannot be defended by Pleader except at a much heavier cost and in most cases they go undefended?

"4. Will not the Government consider the advisability of fixing the head-quarters of all Courts of Justice and requiring them to try all cases at such head-quarters?"

The Hon'ble Mr. BARRON replied :—"It has always been the practice to require Extra Assistant Commissioners to go on tour for a portion of the cold weather. Lately in certain districts an attempt has been made to give effect to a certain recommendation of the Decentralisation Commission in favour of the extension of the sub-divisional system. The hearing of criminal and civil cases by Sub-Divisional Officers on tour should as a matter of fact be a convenience to parties and their witnesses, as the trials take place near their homes. Government is not aware that the practice of hearing cases on tour results in accused persons remaining undefended, or in civil suits being dismissed in default, as timely notice of the place and date of hearing is or should be, given to the parties.

"The extension of the sub-divisional system depends on the measure of success attending its trial in selected districts. It is too early to say how far the system should be extended or modified in the interests of litigants and the rapid and satisfactory disposal of work, though it is understood that the latter result has already been achieved in some districts."

The Hon'ble Lala KASHI RAM asked :—"1. Is the Government aware that under the orders of the Chief Court (*a*) Appeals from the Kasur tahsil which were pending or now instituted in the Divisional Court at Lahore are sent for trial to the Divisional Court at Ferozepore (*b*) Similarly [illegible] appeals which are pending or which may be instituted in the Divisional Court at Ferozepore are ordered to be sent for trial at Hissar. (*c*) Appeals from Moga and Zira tahsils which may be lodged at Ferozepore are to be sent to

[*Lala Kashi Ram*; *Mr. Barron.*]

the Divisional Court at Ludhiana. (*d*) The Divisional Courts at Hissar and Ludhiana have in their turn to send their appeals to the Courts at Delhi and Ambala respectively. (*e*) Last year appeals from the Divisional Court at Multan were sent for decision to the Divisional Court at Ferozepore (*f*) Will the Government state for the information of the public if similar orders for transfer have been passed by the Hon'ble Chief Court relating to appeals in other Divisional Courts of the province, and to what extent?

"2. What is the object of these transfers of cases from their own divisions to other divisions? Could that object be not achieved by less extensive transfers, as for instance, in question No. 1. Could not Ferozepore, Ludhiana and Hissar appeals be left to be dealt within their own division?

"3. Is the Government aware that these transfers take place without any previous notice to the parties, and that in most cases counsel have already been engaged, and these transfers involve the engagement of fresh counsel at considerable expense to the parties concerned at the new place of trial?

"4. Is the Government aware that besides the above loss the persons affected by these transfers are put to (*a*) greater loss of business in consequence of longer absence from their ordinary place of business in most cases if not all; (*b*) greater expenses and trouble of longer journeys; (*c*) greater expenses of securing places other than the head-quarters of their own districts?

"5. Will the Government enquire and state, for the information of the public, the aggregate number of appeals thus transferred and the number of persons affected thereby during the last year?

"6. Will the Government consider the advisability of employing one or two additional Judges for the Punjab and posting them from time to time for clearing of the arrears of work where congestion of work may be reported?"

The Hon'ble Mr. BARRON replied:—"It has been ascertained from the Chief Court, which deals with such matters, that the answer to parts (*a*) to (*e*) of the question is throughout in the affirmative. A similar answer can also be given as regards part (*f*). The object of these transfers of appeals from one division to another is to reduce congestion and to equalise work in the various divisions; in order to achieve that purpose the transfers are necessary.

"No doubt such transfers are a cause of inconvenience, and perhaps even of some loss to litigants The Divisional Judges concerned always inform parties of the transfer of their cases.

"During the last year about 150 appeals were so transferred. The number of persons affected is not known.

One Additional Divisional Judge is working at Lyallpur A scheme for the readjustment of the jurisdiction of subordinate appellate courts has been submitted for the consideration of the Government of India"

The Hon'ble Lala KASHI RAM asked:—"1. Is it a fact that in January last six Hindu employees of the Divisional Court at Ludhiana made a written petition to the Divisional Judge tendering their resignation on the grounds that their religious feelings were deliberately hurt in various ways culminating in the exposure of a raw fresh skin of a Nil Gae in the office room where these employees carried on their duties?

"2. Is it a fact that this resignation was accepted by the Divisional Judge without enquiring into the facts complained of and their places filled up by appointing Muhammadans so that there is no Hindu official in that Court except a Kahar who is a menial?

[*Lala Kashi Ram ; Mr. Barron ; Mr. Sohan Lal.*]

"3. Is it a fact that these employees sent up memorials to the Government and to the Hon'ble Judges of the Chief Court repeating the same allegations and asking for enquiry and redress of the said grievances and also for their reinstatement on the ground that their petition was really intended to be for redress of those grievances?

"4. If so, did the Government or the Hon'ble Judges order any independent enquiry and with what result?

"5. Is it a fact that Nil Gae is declared to be a sacred animal in Ludhiana district and shooting thereof is prohibited and is an offence under Act No. VIII of 1912?

"6. If no enquiry has so far been made, does not the Government consider this to be a fit case for enquiry, as in the absence of an enquiry and an authoritative pronouncement of its results the incident is likely to cause discontent among an important section of His Majesty's subjects?"

The Hon'ble Mr. BARRON replied:—"The answer to the first question is in the affirmative.

"2. Their resignations were not accepted by the Divisional Judge without enquiring into the facts complained of. The Divisional Judge, Ludhiana, has now reported that the places of the six resigned officials have been filled by the appointment on probation of three Hindus, two Sikhs and one Christian. He also reports that his establishment includes seven Hindu officials and four Hindu menials. "Hindus" apparently include Sikhs.

"3. A petition from six employees was received by the Hon'ble Judges on 8th February. The allegations were repeated and the tone of the petition was objectionable. The prayer was for the punishment of the persons who are supposed to have injured the petitioners. Reinstatement of the petitioners was not definitely asked for, and the Hon'ble Judges considered that there was no ground for interference.

"4. The Divisional Judge has full control over his office establishment under section 36 of the Punjab Courts Act. He gave the petitioners an opportunity of withdrawing their resignations; but, as they declined to do so and adopted an altogether unreasonable attitude he considered himself unable to do anything more for them. There is no apparent reason for ordering an independent enquiry.

"5. The shooting of Nil Gae and peafowl by European and other sportsmen was prohibited by the Deputy Commissioner of Ludhiana by order of 27th July 1897. Generally the Lieutenant-Governor does not think it desirable to interfere even in Executive matters with the control of the Hon'ble Judges of the Chief Court over officers subordinate to them."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL, asked:—

"(1) (*i*) Will the Government be pleased to state if the consideration of the question of the revision of the scale of pay and promotion of the members of the Provincial Educational Service has been postponed till the publication of the report of the Royal Commission on the Public Services in India?

(*ii*) If the reply to the first part of the question is in the affirmative, will the Government (having regard to the fact that it will take several years for the recommendations of the Royal Commission to be given practical effect to) be pleased to consider the advisability of granting some sort of temporary relief to the members of this under-paid but important service?

[*Mr. Sohan Lal ; Mr. Godley ; Mr. Diack.*]

"(2) Will the Government be pleased to state the minimum pay allowed to teachers in rural primary schools, and whether, in view of the increase in prices and wages and the general rise in the standard of living, it is contemplated to raise this minimum ?"

(1) The Hon'ble Mr. GODLEY replied :—

"The answer to the first part of the question is in the affirmative. As to the second part, the question of granting personal allowances to meet cases of hardship has been under the consideration of the Government of India, and a few such allowances have already been sanctioned.

"(2) The minimum rates of pay recently recognised by Government for the purpose of salary grants to local bodies on behalf of teachers in primary schools are Rs. 12 per mensem for assistants, and Rs. 15 per mensem for head teachers. These rates represent a considerable increase on those previously prevailing, and it is not proposed to make any further change for the present."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked:—"Will the Government be pleased to give the names of the districts in which re-settlements have taken place during the last 20 years (1893—1912), and to state what has been the increase in the amount of land revenue assessed in each district ?"

The Hon'ble Mr. DIACK replied :—"The information required is given in the statement which I lay on the table."

STATEMENT.

Settlements effected during 20 years (1893—1912) with figures of assessment (in thousand of rupees).

Serial No.	District.	Old assessment.	New assessment.	Increase.	Percentage.	REMARKS.
		Rs.	Rs.	Rs.	Rs.	
1	Lahore	7,23	10,07	2,84	39	
2	Amritsar	10,27	12,56	2,29	22	
3	Gujrát	6,52	8,65	2,13	32	
4	Shahpur	4,32	6,82	2,50	58	
5	Gujránwála	6,46	8,83	2,37	37	
6	Dera Gházi Khan ...	4,07	5,19	1,12	27	
7	Montgomery	3,45	5,08	1,63	47	
8	Multán	10,32	13,40	3,08	30	
9	Jhelum	6,08	7,61	1,53	25	
10	Muzaffargarh	5,57	6,65	1,08	20	
11	Sirsa-Fázilka	2,79	4,26	1,47	53	
12	Attock	5,52	6,74	1,22	22	
13	Jhang	3,58	6,61	3,03	85	
14	Hafizabad-Khángah Dográn	3,52	6,25	2,73	77	
15	Miánwáli	3,23	4,33	1,10	34	
16	Ráwalpindi	5,46	6,75	1,29	24	
17	Rohtak	9,66	11,86	2,20	23	
18	Gurgaon	12,12	13,88	1,76	15	
19	Karnál	10,68	13,69	3,01	28	
20	Hissar	6,10	8,43	2,33	38	
21	Delhi	8,65	11,07	2,42	27	
22	Ludhiána	11,05	15,00	3,95	35	
23	Gurdáspur	15,28	18,56	3,28	21	
	Total ...	1,61,93	2,12,29	50,36	31	

[*Mr. Sohan Lal ; Mr. Diack.*]

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—"Will the Government be pleased to state what portion of the average increase in land revenue during the period above mentioned is due to increase in the area under cultivation, and what portion of it is due to enhancement in the incidence of land revenue ?"

The Hon'ble Mr. DIACK replied :—"The statement laid on the table gives details for 23 districts or portions of districts settled during the period named (1893 to 1912) and shows that settlement operations resulted in an enhancement of the land revenue concerned of Rs. 50,36,000 from Rs. 1,61,93,000 to Rs. 2,12,29,000, or 31 per cent. It would be impossible to distinguish the proportion of this increase that is due to mere increase in the area under cultivation because in all districts several causes conduce to an enhancement in addition to increase in cultivation, for instance rise in prices, increase in irrigation, and inadequacy of the previous assessment and the actual increase taken bears such a small proportion to the theoretical increase justified by these causes that the extent to which each cause operates cannot be indicated. It will perhaps satisfy the object of the Hon'ble Member's question if I indicate which of these causes weighed most in the various settlements. In all districts the rise in prices accounts for much. In Gujrát, Dera Gházi Khan, Jhelum, Attock and Ráwalpindi, where the increases averaged about 25 per cent., the principal other contributing cause was a moderate increase in the cultivated area. In Lahore and Amritsar there was increased cultivation, stimulated by the introduction of irrigation from the Upper Bari Doab Canal and to the working of that canal is due also in great part the enhancement obtained in the settlement of Gurdáspur just concluded. In Shahpur, Montgomery, Multán and Muzaffargarh the principal feature was the development of irrigation from inundation canals, coupled, in Shahpur, with a great increase, in rain-land cultivation also. In Gujránwála increase in cultivation was the principal cause in the earlier settlement (Mr. O'Dwyer's), but in the later settlement (*i. e.,* that of the Hafizabad-Khángah Dográn tahsils, where the enhancement amounted to 77 per cent), the increase was due to the revolution in agricultural conditions caused by the construction of the Lower Chenab Canal. To this cause also was due the increase of 85 per cent. obtained in Jhang. A similar cause—the construction and development of the Sirhind Canal—occasioned the increases of 53 per cent. in the Sirsa-Fázilka settlement and of 35 per cent. in Ludhiána. In Miánwáli where the increase is returned as 34 per cent. (though under the systems of fluctuating assessment introduced at settlement this percentage has not yet been realized) there had been a very considerable increase in cultivation. In Rohtak, Karnál, Hissar and Delhi, where the enhancements run from 23 to 38 per cent., they were due partly to the improvement and partly to the extension of the Western Jumna Canal. The construction and development of the Agra Canal contributed to the small increase of 15 per cent. obtained in Gurgaon.

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—"Will the Government also state the figures showing the rise in wages of labour and in prices of agricultural cattle and gear in the same period, and to state what proportion does it bear to the enhancement in the incidence of land revenue, and whether the increases in wages of labour and rise in the price of agricultural cattle and gear have or have not been taken into consideration at settlements ?"

The Hon'ble Mr. DIACK replied :—"Figures are not available for the exact period alluded to, but it will probably be sufficient for the purpose of the first part of the Hon'ble Member's question if I quote from the Wages Survey for the 20 years ending in 1909, compiled by Mr. Renouf as Director of

[*Mr. Diack ; Mr. Sohan Lal.*]

Agriculture. Mr. Renouf's conclusion was that the rates for unskilled labour and also for carpenters and blacksmiths had doubled in the previous 20 years. As regards agricultural cattle prices for 1893 are not available, but the Gazette prices of a pair of plough bullocks show an increase between 1896 and 1912 from Rs. 65 to Rs. 150 in Ferozepore, from Rs. 86 to Rs. 160 or Rs. 170 in Lahore, and from Rs. 60 to Rs. 100 or Rs. 120 in Ráwalpindi. Figures for gear are not available.

"As regards the second part of the Hon'ble Member's question I fail to see how a ratio can be struck between the rise in wages and the price of cattle, on the one hand, which increase the cost of cultivation, and the increase in the produce of the land and its value, on the other, which are the causes of the enhancement of land revenue. If his object is merely to ascertain whether they are taken account of, that is, to put in another way the third part of his question, then my reply is that the enhancement of the land revenue is made only after making full allowance for the rise in wages and in the price of agricultural cattle. These matters are among the general considerations affecting the amount of the assessment to which in Chapter XXIII of Sir James Douie's Settlement Manual, and particularly in paragraphs 388-391, Settlement Officers are enjoined to give their attention And by the method prescribed for the assessment of the land revenue such expenses are taken full account of, for it is laid down that the assessment shall be based on the net assets, that is to say, the average surplus yielded by an estate after deduction of the expenses of cultivation, including wages of labour. The calculation is simplified by the fact that in most estates the rents paid by tenants afford an index to the net assets of the proprietors. 'A full fair rent paid by a tenant-at-will, although sometimes falling short of the net assets, may generally be taken as sufficiently near approximation to them on the land for which it is paid.' Where the rent is in cash the tenant generally finds his own seed and cattle and labour and pays the canal dues, if any, and such a rent represents the actual net assets of the landlord who himself has not to meet any part of the cost of cattle or labour. Where the rent is a share of the produce, the extent to which the landlord contributes from his share towards the expenses of cultivation is a matter for inquiry in each estate or assessment circle, and the value of his share so diminished is the measure of his net assets. The principle laid down for the guidance of Settlement Officers is that 'the assessment of an estate will be fixed according to circumstances, but must not exceed half the value of the net assets.'"

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked:—"Will the Government be pleased to give the figures—

(a) showing the agricultural and urban population of the Núrpur tahsil of the Kángra district, as counted in the census operations of 1855, 1868, 1881, 1891, 1901 and 1911;

(b) showing the number of agricultural cattle in the same tahsil in the years above-mentioned;

(c) showing the area of land under cultivation in the same tahsil in the settlements of 1851, 1868, 1891-92 and 1912; and

(d) the average market value of *barani* land in the tahsil, and the proportion it bears to the amount of land revenue assessed?"

The Hon'ble Mr. DIACK replied:—"It has not been possible to furnish particulars for points (a) and (b), as the information asked for is not available.

[*Mr. Sohan Lal ; Mr. Diack ; The President.*]

"(c) The cultivated area in the Nurpur tahsil in the settlements of 1851, 1868, 1891-92 and 1912 is :—

Year		*Area in acres.*
1851 ...	...	97,081
1868 ...	...	115,325
1891-92	...	108,244
1912 ...	...	107,565

"(d) The average market value of *barani* land in the Núrpur tahsil is reported to be Rs. 40 per acre, or 27 times the land revenue assessed."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—

(*i*) Will the Government be pleased to state if it has been decided to fix the duration of settlement in the Chenab and Jhelum Colonies at 10 years instead of 20, which is the ordinary duration in other districts?

(*ii*) If the reply to (*i*) is in the affirmative, will the Government be pleased to state the reasons for it?"

The Hon'ble Mr. DIACK replied :—"The terms of settlement in the Chenab and Jhelum Colonies have tentatively been fixed at 10 years.

The reasons, briefly, for this are :—

(*i*) The land revenue rates in the colonies are practically part of the water-rates, for almost all the cultivation done is due to canal irrigation, and the policy of Government is that the rates paid for water from Government canals, both by owners as well as occupiers, should be liable to revision from time to time so as to correspond with the commercial value of the water.

(*ii*) That the classification of villages undertaken in the recent settlements is experimental in its nature and may need revision after some experience of it has been gained. The classification was based mainly on water-supply arrangements, which are capable of modification. Further, the spread of *kallar* or water-logging may necessitate the reduction of some villages from superior to inferior classes.

(*iii*) The form of assessment introduced is fluctuating. A short term of settlement will facilitate the introduction of a fixed form of assessment, which is theoretically preferable in all areas where agricultural conditions have become stable, and which it is hoped to introduce as soon as circumstances permit.

(*iv*) In assenting to a ten years term as a tentative arrangement the Government of India observed that it was impossible to say what the effect may be on the supply of tenants and agricultural labour of the opening of the Upper Chenab Canal. It may be added that the effect of the colonization of the Lower Bari Doab and Upper Jhelum Canal tracts will also have to be watched from this point of view."

His Honour the PRESIDENT :—"Before we proceed, I might say, I am sure Hon'ble Members will agree with me that we owe a debt of gratitude to Mr. Diack for the very full *resumé* he has given us on the principles and practice of assessment which I have rarely heard put in a shorter and more

[*Mr. Sohan Lal ; Mr. Fenton.*]

concise form. I must confess, I was rather alarmed at the question put by the Hon'ble Member. I thought that we might have been treated to the whole of Sir James Douie's Settlement Administration Manuals, but I think Mr. Diack has succeeded in explaining our principles of assessment in the clearest way in the fewest possible words."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—

"Will the Government be pleased to state if it is correct that it is the practice in the Canal Colonies that land revenue and water-rates are charged twice on the same area, if toria and gram are jointly cultivated in one field at one and the same time, and, if so, will the Government be pleased to consider the desirability of putting a stop to this practice ?"

The Hon'ble Mr. FENTON replied :—

"Water-rates (but not land revenue) are charged twice on toria and gram grown together as a mixed crop in the same field *if the gram receives a watering after the toria crop has been cut*, but if no such watering has been given after the toria has been cut then only one rate is charged.

"Government has considered the case, and has decided to adhere to the existing practice, as it was shown that it was a common practice to give a late watering not required for the toria but only for the gram at a time when every drop of water was required for rabi sowings"

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—"(1) Will the Government be pleased to state if any reply was given to the representations submitted by the people of Sharakpur tahsil of the Gujránwála district in connection with the great inconvenience to the people, especially to the travellers, and loss of property caused to the people by the Deg diversion works recently constructed by the Canal Department ?

"(2) Is the Government aware that the said Deg Diversion Works have materially interfered with the wheeled traffic on Sharakpur-Mangtánwala Road and on Sharakpur-Faizpore Road, and that during the last rainy season boats had to be floated in order to cross the former road, while the communication was absolutely blocked by the latter road during the rainy season, the latter road having been over-flooded to such an extent that the life of travellers was in danger, and at least one human life was lost in the attempt to cross the road ?

"(3) Will the Government be pleased to state what steps have been taken or are intended to be taken to remove the danger and inconvenience to the people and travellers before the next rainy season comes in ?"

The Hon'ble Mr. FENTON replied :—"(1) (*a*) The only representation received was in connection with the proposed protective bund for Sharakpur town from Malak Fazal Dad and other inhabitants of Sharakpur.

"In their petition, dated 6th May 1912, they represented that they apprehended that the proposed bund would block the flow of water and thereby cause them considerable damage. They further refused to give up the necessary land prior to formal acquisition, and thereby prevented the construction of the bund being taken in hand until after the rains.

"Some damage, estimated at Rs. 1,734, owing to the bund not being built, was done to Sharakpur town. There was also a resolution of the Municipal Committee protesting against the construction of the bund, but after the

[*Mr. Fenton.*]

experience of the flood season of 1912 the bund was agreed to by all concerned,—*vide* Deputy Commissioner's letter No. 1320, dated 1st October 1912, to Executive Engineer, 4th Division, Upper Chenab Canal. A few outlying hamlets in the vicinity of Sharakpur were also damaged. The necessary compensation assessed at Rs. 3,994 will be paid through the Deputy Commissioner, who has also been asked to note on the advisability of removing the hamlets to a safe place in rear of the diversion bund at the expense of the Irrigation Department.

"(*b*) Ferry boats were provided by Government at the two roads mentioned and also at two other roads, those being the only important roads crossed by the Deg diversion bund.

"The casualty mentioned, it is believed, occurred on the Sharakpur-Mangtánwala Road, and is said to have been due to the traveller in question refusing to use the ferry boat provided.

"(*c*) Orders have already been issued by Chief Engineer to build the protection bund west of Sharakpur as was originally sanctioned, and to raise the Sharakpur-Mangtánwala Road one foot from the point where it is crossed by the protection bund to within 2,000 feet of the Deg diversion bund, and to metal it from the above point to the bund.

"Proposals for metalling the ramps of the four principal roads crossing the diversion bund are under consideration.

"(2) (*a*) The diversion work referred to is a bund designed to protect the town of Sharakpur from being damaged by floods. There was opposition on the part of some of the residents of Sharakpur, and also apparently on the part of the Municipal Committee, against the construction of the bund. This prevented it being built *before* the rainy season of last year, and consequently damage was done to the town to the estimated extent of Rs. 1,734 and to outlying hamlets to the extent of Rs. 3,994. Regarding the former sum (Rs. 1,734), as the construction of the bund was prevented by the people not giving up the land, the question of the liability of Government for the damage has been referred to the Legal Remembrancer. Regarding the second sum of Rs. 3,994 orders were issued on 4th March 1913 to pay the amount through the Deputy Commissioner.

"Orders to proceed with the construction of the bund as originally sanctioned were also issued by the Chief Engineer last month.

"(*b*) Regarding interference with communications due to the construction of the Deg diversion, as it would hardly be practicable and be entirely out of the question owing to the expenditure involved to build bridges across the diversion, some 2,000 feet in width, ferries were provided last year where the roads crossed the diversion and such ferries will always be provided in the future. The casualty mentioned in the question is reported to have been due to the traveller's refusal to use the ferry.

"(3) The Chief Engineer has directed that the Sharakpur-Mangtánwala Road shall be raised 1·0′ and metalled in a certain length. He has also directed that the portion of this road across the bed of the diversion shall be metalled in addition. The metalling on this length will make the road passable immediately after floods have passed over it and permit also of its being used with *shallow* depths of water on it. The idea of the metalling is to prevent travellers, carts and animals getting 'bogged'.

"Regarding the road from Sharakpur to Faizpore—which it is understood is very little used during the rains—this road will be protected by the bund referred to in my answer to question 2 and, as first stated, a ferry will be provided for travellers. There will in fact be alternative routes by which the journey between the two places can be performed."

[*Mr. Sohan Lal ; Mr. Barron ; Mr. Fenton.*]

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Is it a fact, that though Sharakpur is a sub-division of the Gujránwála district, the head-quarters of the sub-division and the Munsif's court have been located at Shekhupura ? Is the Government aware that this arrangement causes considerable inconvenience to the people of the Sharakpur tahsil, and if so, will the Government be pleased to consider the advisability of transferring the head-quarters of the sub-division and the Munsif's court to Sharakpur."

The Hon'ble Mr. BARRON replied :—" The Sharakpur sub-division of the Gujránwála district was constituted in June 1910, and comprises the Khangah Dogran and Sharakpur tahsils. In August of that year the Local Government, acting on the advice of the local officers and the Financial Commissioner, declared Shekhupura to be the head-quarters of the sub-division as it is central and on the railway and in every way the most convenient place for the local courts to sit at. Sharakpur, on the other hand, situated as it is on the edge of one of the tahsils, would be convenient for only a very small proportion of the inhabitants of the sub-division, and the Lieutenant-Governor is not prepared to consider the question of moving the courts of the Sub-Divisional Officer and the Munsif to Sharakpur."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Has the attention of the Government been drawn to the fact, published in the newspapers, that in connection with the inquiry into the murder of a wealthy sahukar and landowner of Shujabad tahsil in the Multan district a zaildar and two lambardars had to be suspended and a Sub-Inspector of Police transferred ? Will the Government be pleased to state the names of these persons, and to make a full statement as to the investigation connected with this murder, and to state what steps, if any, are intended to be taken to put a stop to this kind of dereliction of duty on the part of investigating officers ? "

The Hon'ble Mr. BARRON replied :—" The attention of Government has been called to the circumstances of the murder of one Behari Ram, an Arora of village Shahpur in the Shujabad tahsil of the Multán district. The case is being most carefully investigated. The Circle Inspector and three Sub-Inspectors have been concerned in the investigation of the murder, while the Superintendent of Police and the Deputy Superintendent have also made local enquiries. Two Magistrates of experience, the second being the District Judge, have held magisterial enquiries. Certain lambardars and a zaildar have been suspended on suspicion of culpable negligence. The Sub-Inspector of the Shujabad Police Station has been removed from the investigation. No evidence has yet been produced which would warrant the sending of any person for trial. The case is still under investigation, and it is therefore undesirable to publish names of persons concerned at this stage, but the existence of strong religious faction feeling in this part of the Shujabad tahsil has operated to suppress evidence and to distort facts. It is this faction feeling among the people and not dereliction of duty on the part of investigating officers, which has prevented a successful issue to the enquiries in this case. Measures to check factious interference with the maintenance of law and order are in contemplation. "

PUNJAB EXCISE BILL.

The Hon'ble Mr. FENTON :—" Your Honour, I beg to move for leave to introduce a Bill to consolidate and amend the Excise Law in the Punjab. My remarks I propose to make in connection with the next motion which stands in my name."

The motion was put and agreed to.

[*Mr. Fenton.*]

The Hon'ble Mr. FENTON :—"Your Honour, I now introduce the Bill. Copies have been placed on the benches. Just as the Hemp Drugs Commission of 1893-94 presided over by Sir Mackworth Young was followed by legislation in the shape of the Excise Act XII of 1896, so the report of the Excise Committee of 1905-06 has necessitated legislative action for the control and regulation of liquors. The Act of 1896, which will now be repealed, altered the pre-existing law in respect to hemp drugs only, and re-enacted without change the Act of 1881 in so far as it related to liquors ; so that the regulation of this latter branch of Excise is in effect governed by an enactment over 30 years old. I should perhaps say over 40 years old, because the Excise Act of 1881 differed very little from the previous Act of 1871, the principal changes having been merely the omission of provisions relating to opium (in consequence of the enactment of a separate Opium Act) and the imposition for the first time of a penalty of imprisonment for the manufacture and possession of illicit liquor. Practically, then, we have been working under an enactment over 40 years old, and it is therefore not surprising that Sir J. Thomson's Committee condemned the existing law as crude and inelastic and as characterised by the defects and shortcomings which are set forth in the Statement of Objects and Reasons appended to the Bill now presented to the Council. The circumstance that years have elapsed since Sir James Thomson's Committee submitted its report is a guarantee that there has been no lack of scrutiny, investigation and consideration of its conclusions and recommendations, both by the Government of India and the Local Government, and I can assure the Council that they can have no conception of the labour and industry which has during the interval been expended by Excise, Secretariat and Legal officers, and notably by the Hon'ble Mr. Gracey, in framing a draft Bill which shall embody all that has been found of use, profit and advantage in the report of the Excise Committee of 1905-06 and in the new United Provinces and Bengal Excise Acts and the Central Provinces Bill, so far as such legislation can be adapted to the circumstances of our own Province. The delay in legislating therefore has not been without compensating advantages, and I venture to claim that our Bill will be found to be a most up-to-date legislative article, well calculated to promote the efficiency of our Excise Department. Without going into details I may mention what I consider to be the most important change which the new law will introduce—the enhancement of the maximum penalty for illicit distillation from four months' imprisonment, a wholly inadequate term, to a maximum of one year's imprisonment with double that period in cases of second or further conviction. Only by deterrent sentences it is possible to cope with the evil of illicit distillation which is so rife in the central districts, and which is believed to be the source from which liquor is obtained especially for those orgies of drunkenness which so often disgrace Lohri and Holi festival celebrations and marriage and similar ceremonial gatherings.

"A great deal of the Bill is very technical indeed, and it will, I believe, be found that its provisions will possess but little interest for any class of the community outside the trade. The interests of the trade, however, are entitled to consideration, and I would recommend those members of this Council who desire to assist us in this legislation, whether they take part in the deliberations of the Select Committee or not, to put themselves in communication with such of their constituents as are concerned with the manufacture, sale, transport and import of exciseable articles.

"In introducing the Bill I move that it be circulated for opinion, and that the Bill and the opinions thereon be referred for consideration and report to a Select Committee consisting of the Hon'ble Mr. MANT, the Hon'ble Mr. GRACEY, the Hon'ble Sardar SUNDAR SINGH, the Hon'ble Mr. GAJJAN SINGH, the Hon'ble Lala KANSHI RAM and the Mover."

[*The President ; Mr. Mant.*]

His Honour the PRESIDENT :—"As I shall not have an opportunity of taking part in the deliberations on the Bill, I may say that I am very glad indeed that it has been found possible to introduce this very complicated and very difficult measure before I make over charge of the duties of my present office. As you all know, I am strongly convinced that though a very great portion of the Punjab is strictly temperate, the evils of drink in certain parts of the Punjab are very serious indeed, and we are doing all we possibly can to put a stop to it. The reason why we pressed for heavier penalties upon illicit distillation and cognate offences is that, in particular portions of the Punjab, where drinking is most rife, illicit distillation is singularly easy owing to the cultivation of sugarcane. It is very difficult to detect it and still more difficult to stop it. We have therefore armed ourselves with the very strongest powers that the law can reasonably provide and I hope this will do a great deal towards making our excise administration more effective than it has been in the past. It is absolutely of no use to close shops, raise the still-head duty and place other restrictions on the trade as long as the people can distil practically as much illicit liquor as they want themselves without any chance of effective interference I hope also that Hon'ble Members, in connection with this Bill, will consider and advise the Government about the way in which the constitution of local committees can be improved, and that most useful agency extended. I have great hopes from the operation of those committees, because it has been found all over the world, not only in India, that Government alone can do very little to stop the drink and drug habit. As long as the practice of obtaining drink and drugs is not regarded as a social disgrace almost worse than a crime, no amount of legislative interference or executive preventive action on the part of Government will really stop the practice. That is why I have always gone out of my way to back up and support, as far as was in my power, any movement or any agency which had for its real object the education of the public sense and public feeling, in regard to the evils of the drink and drug habit. I am glad to think that a good deal has been already achieved in this matter. I know, as a matter of fact, that in certain quarters where the practice was freely indulged in, people are beginning to be ashamed, and in these matters the beginning of shame is the beginning of wisdom.

"I can only hope that each of you gentlemen will do all you can to support and extend the temperance movement. I do not refer to a self-denying total abstinence ordinance or anything of that kind; I am talking of temperance in its broader sense; that is to say, the temperate use of liquor, if you must take it. If you cannot use it temperately then by all means abstain altogether.

"I hope a great deal from this Bill and I hope a great deal more from the action of gentlemen like yourselves and from the education of the community in putting a stop to what is really a very serious danger in some parts of the Punjab which is doing a great deal to deprive the people of the results of their industry and of the benefits of the tide of prosperity which has come to them."

The motions were put and agreed to.

BUDGET ESTIMATES FOR 1913-14.

The Hon'ble Mr. MANT :—"Your Honour, it is not my duty to present the budget to-day. I merely propose to explain the position for the benefit of those members who are for the first time taking part in the budget discussion. The Financial Statement which I presented to the Council on the 13th of the last month was a forecast of the budget. When the budget does not

[*Mr. Mant ; Mr. Muhammad Shafi.*]

tally with the forecast, the rules require that it should be formally presented to the Council with an explanation of the differences, and also, when the Council has passed a resolution recommending a change in the figures of the Financial Statement and that recommendation has not been accepted by the Government, it is necessary that the reasons should be explained at a meeting of the Council. But in the current year neither of these contingencies has occurred, no resolutions were passed at the last Council meeting and the figures in the budget estimates, which were circulated to the Hon'ble Members on the 1st of April, tally precisely with those in the Financial Statement. Those figures are fully explained in the printed memorandum attached to the Statement.* I have therefore no further remarks to make at this stage of the discussion. I may, however, add that the deliberations of the Council to-day will not affect the current year's budget. The time for moving resolutions concerning it has gone by, and any financial suggestions which Hon'ble Members may desire to put forward will only be taken into consideration in connection with future budgets or in connection with the disposal of any funds which may become available for reappropriation later in the year."

The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI :—"Your Honour, this being the last Budget Debate under Your Honour's presidency, I propose, within the short time at my disposal, to take a birds-eye view of the progress made in this Province during the past five years as appearing from a comparative analysis of the first Annual Budget which, under the reformed constitution, came before this Council and the one now under discussion. It is well-known to Hon'ble Members that the valued rights connected with the Budget discussions were, for the first time, conceded to this Province in the Scheme of Reforms introduced by Lords Minto and Morley. A glance at the first Financial Statement presented to this Council shows that the closing balance in the year 1908-09 amounted to Rs. 14,75,000. Since then the Provincial balance has gone on increasing year after year until the financial year which has just come to a close has left us with a balance in our hands amounting to Rs. 1,90,09,000, and the Financial Member has estimated that the balance at the end of 1913-14 will amount to Rs. 1,46,22,000. This is, as at this stage it ought to be, a very cautious estimate, and I have no doubt that the actual balance will, in the end, come up to nearly two crores. The satisfactory state of our Provincial finance disclosed by this succession of handsome balances and the general progress indicated thereby are emphasized by an examination of the steady increase in our annual income and expenditure. While the total Provincial Revenue and Receipts in 1909-10 amounted to Rs. 3,52,15,000, the total in the closing year has risen to Rs. 5,15,34,000, showing an increase of Rs. 1,57,19,000. And the Provincial Expenditure has not been at a stand-still during this period of increasing prosperity. During the year 1909-10 the total actual expenses incurred in running the provincial machinery amounted to Rs. 3,39,14,000, while during the last year a sum of Rs. 4,28,98,000 was spent by the various departments, representing an increase of Rs. 89,84,000. These figures reveal a degree of provincial prosperity of which any Local Government may justly be proud and must constitute a source of great satisfaction to Your Honour when laying down the reins of your high office.

"Turning now to some of the more important sources of income as well as channels of expenditure really indicative of the material and intellectual progress in this Province during Your Honour's term of office. The Punjab is essentially an agricultural province, and the prosperity of the agricultural classes has very rightly been one of the principal aims which Your Honour's Government has had in view. The Provincial income under

* *Vide* Appendix A.

[*Mr. Muhammad Shafi.*]

the heads 'Land-revenue (Proper and Assignments)' and 'Irrigation' (Major and Minor) in 1909-10 amounted to Rs. 2,51,37,000: it has now risen to Rs. 3,93,43,000 in the year 1912-13. And during this period the Provincial share of the Land-revenue Assignments has, as a result of the staunch advocacy of the Hon'ble Mr. FENTON, been raised to one-half instead of two-fifths, thus placing the Punjab on a level with some of the more fortunate provinces of India. And this satisfactory increase is attributable not only to the general prosperity of the agricultural tracts resulting from natural and extraneous causes, but is also, in a great measure, due to the constructive work accomplished by Your Honour's Government during the last five years. The Provincial expenditure on Irrigation (Major and Minor Works) has risen from Rs. 46,77,000 in 1909-10 to Rs. 73,18,000 in 1912-13. This vast expenditure has resulted in the extension of that wonderful system of Punjab canals which has brought about unparalleled prosperity in our agricultural areas and is a source of pride and pleasure alike to the Government and the people. And when the Triple Canals Scheme, which is now fairly on the way towards completion, is in full swing, our Province will come to be one of the principal granaries of the world. The Punjab colonies have, during Your Honour's régime, undergone a process of expansion resulting in the absorption of the surplus population in congested districts and have not only enabled hundreds of thousands of struggling agriculturists to find happy homes in the midst of new and prosperous conditions, but have also proved an effective remedy for the fell disease of agricultural indebtedness. The debt of gratitude which the agricultural classes owe to Your Honour's Government is indeed heavy and I was not surprised when, the other day, I received a postcard from a zamindar belonging to a village in the district of Shahpur asking me to move the Muslim League to memorialize the Imperial Government for the extension of your period of office.

"And this era of remarkable prosperity has not been confined to the agricultural portion of our population. Urban trade has been increasing by leaps and bounds, factories are springing up everywhere, cities and towns are undergoing rapid expansion, the value of property is steadily rising, and the standard of living among the middle classes of our urban population — an infallible index of the prosperity of a people — is greatly improved. Even 10 years ago who could have imagined that a building site outside the city gates of Lahore would fetch the fabulous price of nearly Rs. 14,000 for three marlas of land!

Towards the remarkable educational activity discernible all around us Your Honour's Government have, during the past five years, contributed their due share. The Provincial expenditure on education in 1909-10 amounted to the sum of Rs. 22,61,000; according to the revised estimates for 1912-13 it rose to Rs. 33,37,000, representing an increase of nearly 50 per cent. in four years. The budget estimates for the forthcoming year indicate a proposed further addition of nearly 11½ lakhs, bringing up the total expenditure during 1913-14 to the sum of Rs. 44,83,000. And when the scheme of increasing educational expansion propounded by the Provincial Government comes into full operation, the resulting benefit to the millions in our Province will be incalculable. What is really needed is a net-work of Primary Schools throughout the Punjab, bringing elementary education within easy reach of the masses, dispelling the gloom of ignorance in which they are at present shrouded.

"Your Honour, in addition to the completion of the scheme for re-organizing the Excise Department, a satisfactory beginning has been made towards the overhauling of our judicial machinery by the appointment of Subordinate Judges in the various districts of the Punjab. And when the new scheme relating to the higher judicial appointments which, I understand, is awaiting the sanction of the Secretary of State, is brought into operation, a

[*Mr. Muhammad Shafi.*]

distinct step towards bringing our judicial machinery in a line with that of the other Provinces of India will have been taken, bringing us nearer to that higher and more necessary reform of separation of judicial and executive branches with reference to which enlightened Indian opinion is practically unanimous. And in this connection I wish I were in a position to-day to offer to Your Honour my humble congratulations for having brought about the elevation of the highest judicial tribunal of our Province to the status of a High Court. It is, at any rate, gratifying to know that the Provincial Government have recommended the introduction of this much-needed reform, and we trust the Government of India will not be slow in giving their assent to a representation which is warmly supported by public opinion in this Province.

"In the Provincial Council itself, the work of legislation accomplished during the last four years has indeed been satisfactory. Fourteen amending, consolidating and new enactments have been placed upon the statute-book of this Province, including such important legislative measures as the Municipal, Colonization of Government Lands, Pre-emption, Punchayats and Redemption of Mortgages Acts. The immense benefit accruing from the Colonization of Government Lands and Redemption of Mortgages Acts to the agricultural population of our Province, rightly characterized by Your Honour as "not only the backbone but the whole frame of the Indian Army" is impossible of description, making Your Honour's *régime* a land-mark in the history of the material progress of the brave agricultural races of the Punjab. It has been a source of pleasure and pride to us, the non-official members of the Council, to co-operate with our official colleagues in this work of beneficial legislation under the Presidency of one whose unfailing courtesy, suavity of manners and generous encouragement have made this labour of love as pleasant as any one of us could wish. Your Honour has presided over three Legislative Councils, and having had the privilege of being a member of each and all, I am in a position to bear testimony to the mutual good-will and co-operation between the official and the non-official elements in this Council, which has ever conduced to the smooth working of our legislative machinery. As the senior non-official Member of this Council, I beg to offer to Your Honour our cordial thanks for having, by your unvarying kindness and consideration, made our task one of extreme pleasure to us all.

"The message of inter-communal peace and good-will which, on more than one occasion, Your Honour has recently delivered to the people of this Province will, I trust, be taken to heart by all sincere well-wishers of peaceful progress. The gulf which, unfortunately for the country, divides the two principal communities, particularly in Upper India, retards the onward march of the Indian peoples and creates administrative difficulties for the Government by no means easy of solution. But the dawn of a new era is already visible above the distant horizon, and I sincerely trust that the day is not far when the various communities, constituting the vast population of this country, will learn the lesson of true patriotism, and hand in hand will strive together for the sacred cause of the regeneration of their motherland.

"Your Honour, sad though it is to say farewell, nevertheless there are times when "the best of friends must part." And while I assure Your Honour that you will carry with yourself the sincere good wishes of all of us present here to-day for a long and happy life in your well-earned rest, may I be permitted to express a hope that when living in that country, which is the central point of the great and glorious empire, the citizenship of which is one of proudest possessions, Your Honour will not forget the country in which you have spent the best years of your life and the people of which have legitimate claims upon the Imperial patriotism of all true sons of Great Britain and Ireland."

[*Mr. Hari Chand.*]

The Hon'ble Rai Bahadur HARI CHAND:—"Your Honour, in rising to speak on our Provincial Budget I must in the first place add my note of congratulations to the Hon'ble Mr. MANT for his presentation of a prosperous Financial Statement. For the third year in succession the Financial Statement discloses a record of progress and plenty, and, though the net result of the Budget is a deficit of over 43 lakhs, we have been able to build up a very large reserve, and the year 1913-14 is expected to close with a balance of nearly a crore and a half. This is eminently satisfactory, although I recognise that the land revenue of last year has been swollen by the sale proceeds of estates, and that with the cessation of sales in the ensuing years this source of income will have become extinguished. We can, however, face the extinction of this windfall with confidence and courage. As the Hon'ble Finance Member says, we may regard our normal revenue as sufficient to meet the present standard of expenditure.

"This brings me to a consideration of the question that the standard of expenditure is continually rising. We have also the fact that the appetite of the spending departments has been whetted by the large grants made by the Government of India to Provincial Revenues in the last few years. Indeed, I have seen a criticism that the rate of increase of expenditure per annum during the last five years has exceeded the rate of increase of revenue, and that the financial prosperity only means a golden harvest for the salaried classes, high and low. The steady growth of the cost of living, however, necessitates an increase of pay for the subordinate establishment, which has certainly proved worthy of its hire. As regards growth of expenditure, so far as it is due to meeting the increased demands of the sister graces of culture and cleanliness, it is only right that it should be so At any rate, we have no reason to feel any misgiving about the ability of the Government in keeping down superfluous expenditure.

"Coming to the Revised and Budget Estimates, I find there is net improvement of 63 lakhs of unexpected surplus. Part of this surplus is due to the caution, as the Finance Member explains, in framing the estimate of irrigation receipts, which far exceeded expectations. When the old canals have proved so remunerative, it is only reasonable to ask that every attempt should be made to remove the complaint about shortage of water-supply. Of all material boons conferred by our benign Government in this province, the splendid canal system has been one of the greatest, and it is only proper that the quality of this boon should in no way be strained. I view with considerable apprehension the growth of the drink evil in the province, as reflected in the ever-increasing excise receipts. My apprehension is all the greater because this growth has been in spite of the anxious consideration which Your Honour's Government has all along given, and been continuing to give, to this problem. Opinions, however, differ as to whether any raising of the still-head duty can effectively check drunkenness. There is, no doubt, considerable force in the contention that the drink habit can only diminish with an improvement in the morals of the people, and it is to this latter end that the Temperance Societies have been working, though unfortunately so far with indifferent success. At the same time I may urge that, unless the facilities for drink are somewhat withdrawn, it is perhaps idle to hope for any appreciable reduction in the drunkenness of the people. The present, however, is not a suitable occasion for discussing questions of policy, and I hope that the new Excise Bill, which has just been introduced before the Council, will provide some checks for the drink evil.

"The special merit of the Revised and Budget Estimates lies in the substantial allotments made for Sanitation and Education. Two of my constituencies, Rawalpindi and Sialkot, received a total grant of 2½ lakhs for intra-mural drainage and water-supply respectively, while Multan, for which I made an

[*Mr. Hari Chand.*]

earnest appeal last year, has been promised by Your Honour a grant of between two and three lakhs of rupees for its water-supply scheme—a boon for which my town cannot be too thankful. With the new sanitation and water-works scheme, Multan will, no doubt, be restored to her pride of place among our provincial towns, and her citizens will long bless Your Honour's name for this supreme benefaction. Gratitude for favours promised, however, emboldens me to ask for more, and I may be allowed to put in a word for the Multan Civil Hospital, which requires expansion and improvement so as to be in keeping with the requirements of an important and progressive town. In the fifties and sixties, the Multan Dispensary, which has now expanded into the Multan Civil Hospital, was regarded as one of the best of its kind. In the inspection reports of those periods it was generally described as the model dispensary of the Punjab, and as having taken the lead of all others in the Province. And its popularity has steadily increased during the last 50 years. Patients from Dera Ismail Khan, Dera Ghazi Khan, Mianwali, Muzaffargarh, Montgomery and Jhang and Bahawalpur—nay even from Sindh and far-off Afghanistan—come to its doors for medical relief. In 1912, nearly 19,000 patients, of which nearly a thousand were in-door, sought relief, while nearly 1,500 operations were performed. But unfortunately it is cramped for space, and some provision for its expansion is urgently needed in the interests of suffering population of South-Western Punjab. While on this subject, I feel I must refer to the formation of the proposed Sanitary Conference under the presidency of the Hon'ble Mr. FENTON. I need hardly say that Mr. FENTON's thorough grasp of the subject and experience are assets of inestimable value in guiding the deliberations of the proposed conference, and I hope that we shall have a well laid-out programme of sanitary reforms as a result of this conference.

"On Education I find that the Revised Estimates exceed the original by close upon five lakhs. No doubt it is due to the utilization of the Imperial grants, but it is noteworthy that we are on the eve of a great educational expansion, which was foreshadowed by the gracious message and watchword of Hope given by His Imperial Majesty. Nothing relating to education, from primary to post-graduate, has been neglected, while a conference of persons interested in the education of girls will shortly meet. All this points to a future bright with hope and assurance of progress.

"I notice with great satisfaction the recent improvements in the pay and progress of teachers in village schools and also the improvements that are contemplated in the various educational services. The raising of the pay of the lowest grade of Tahsildars to the starting pay of Munsifs will afford some relief to a deserving and hardworked body of public servants, and I trust that the provision of eighty thousand rupees made for improving the pay of poorly paid clerks will be given effect to upon the conclusion of the Clerical Establishment Committee's Report. The relief to them has been long promised, but has been hanging fire owing to one cause or other. I trust there will be no further delay.

"But our congratulations upon the financial prosperity are tempered with a deep sense of grief. As I speak, the thought weighs heavily on my mind that this is the last occasion of our meeting in this Council Chamber under the presidency of Your Honour. There is always an element of sadness in all farewells; more so when we have to part company with one who has been our friend and benefactor for upwards of thirty-six years. Nearly four decades have rolled by since you heard the East a-calling. You obeyed the call, and passed with distinction the competitive test with a view to coming out to the scene of your labour and love. While here you learnt and mastered some of the great Eastern classics and made us your kith and kin in thought and in action. For in Your Honour we have always found something *more* than

[*Mr. Hari Chand ; Mr. Muhammad Amin Khan.*]

an official, something better than the cast-iron bureaucrat. In Your Honour's own beautiful words, the hot sun of India has only warmed you into a kindlier and tenderer love of the country and its people.

"And this element of humanity, as we have frequently noticed in our meetings in this Chamber, burst through all official trammels and formalities. The smile of encouragement, the genial warmth of heart and the unfailing courtesy and consideration which we have invariably received at Your Honour's hands made our work in this Council a most pleasing and pleasant function. And these qualities of sympathy and comprehension showed themselves to equal advantage outside this chamber. You came upon your exalted office at a time when the minds of men were unsettled by the events of the preceding year. Under your guidance the lustrum has been one of the most remarkable in the history of the province. The Financial Member has made some reference to financial prosperity, but the triumphs of peace and civilization have been visible in every chapter of this brilliant lustrum, in the splendid irrigation systems, in educational progress, sanitary improvements and in the impetus given to indigenous industrial and commercial activity. May your life be as full of years as it has been of honours, and may you be the recipient of still further honours. May you be spared long for the good of this country!—for the Ind will be still calling to you in your well-deserved rest and retirement, and we know for certain that the call will not be in vain."

The Hon'ble Malik MUHAMMAD AMIN KHAN:—"Your Honour, as this is probably the last occasion on which Your Honour will be presiding over the deliberations of this Legislative Assembly, I beg leave to give expression, however weak and feeble, to that sentiment of extreme gratefulness with which the heart of loyal Punjab is full towards one who devoted some of the most precious years of his life to her service, and whose record of substantial achievements is sure to occupy a very prominent place in the history of her future progress and material well being Nothing could be more convincing proof of Your Honour's keen solicitude to help the best interests of the province committed to your charge than the prosperous budget of to-day's meeting. It must be evidently a matter of extreme gratification to Your Honour that when about to lay down the duties of your exalted office Your Honour should find the Punjab more prosperous, more contented, more happy and more wedded to the British Crown. A comparison of the revenue and expenditure figures of 1907-08 with those of 1913-14 reveals at a glance the rapid strides made by the land of the five rivers in the path of future prosperity and material advancement during Your Honour's lustrums. Among the many boons that Your Honour's *régime* conferred upon agricultural Punjab, perhaps the one that in my humble opinion will make Your Honour's name a living memory in this Province has been the perseverance in the midst of your manifold activities and all absorbing engagements with which Your Honour harnessed the tidal waters of the Punjab. The Triple Project, the second link of which was only the other day forged into an accomplished fact by Your Honour, will be the crowning glory of Your Honour's period of Governorship, and so long as those arid tracts which the toil and moil of your brains converted into smiling fields of plenty continue to give sustenance to the peasant sons of the Punjab, Your Honour's name will ever remain green in the grateful recollections of Your Honour's humble subjects. It is really a matter of extreme regret to us, new members of this Legislative Council, that we should have been so soon deprived of Your Honour's guidance and sage council, but we find comfort and solace in the pleasing reflection that although Your Honour's tenure of active life in India is about to terminate and Your Honour will shortly be entering upon a life of well-merited repose, yet Your Honour's interest in the welfare of the Punjab and of the whole of India will continue unabated.

[*Mr. Muhammad Amin Khan.*]

"Passing from this personal aspect of to-day's meeting to the dry-as-dust statistics of the budget, I must congratulate the Finance Member on the successful manner in which he has succeeded in husbanding the resources of this province. I would, however, venture to observe that, while the beneficence of British rule is all embracing, still the poor and dumb denizens of the villages who constitute the backbone of the country have not been able to secure as much advantage as some other sections of the populace. While Government has of late been pleased to recognize the usefulness and justice of the comparatively longer duration of future settlements, the difficulties that stand in the way of the agriculturist and the incessant varied calls on his purse and produce, do not appear to have been fully realized. Prices have no doubt risen, conditions of life have materially changed, but the rise in prices and the changed conditions of life have not brought so much into the coffers of the zamindars as they have into those of the city traders or business men, while on the contrary the expenses of the zamindars have, comparatively speaking, outrun those of his fortunate brethren of the towns. It is time that Government rallied to the support of the zamindar and, so far as the cultivated area was concerned, declared that land revenue assessments thereon shall be the same for a much longer term than at present, provided of course fresh irrigation or water supply did not alter the situation. Where agricultural conditions have substantially improved, the simpler remedy of a mutual compromise without the harassing operations of a protracted settlement would be the better alternative.

"The claims of the zamindars to better treatment deserve to be recognized in another light. Our benign Government has already donated a princely sum to the cause of elementary education in India, and I have no doubt that the Government of India's resolution on the subject is an unequivocal expression of true statesmanlike policy. But my humble submission is that just as Government has been pleased to recognise the supreme necessity of primary education for the zamindars, something similar should be done to put the latter fairly well on the path to secondary education. Punjab is essentially an agricultural Province, and it is reasonable to ask that special facilities on a vast scale, as for instance the providing of more scholarships, substantial reductions in their tuition fees, &c., may be provided to help them in their secondary course of study. So far as higher education is concerned Government will be really discharging its duty in the best way by substantially helping the Islamia College, where Muhammadan boys, whose parents constitute the majority of the Punjab zamindars, congregate to receive the benefits of a College education.

"The zamindars require further help under the heads "Sanitation" and "Medical". Officers who have had occasions to visit villages will bear me out when I say that sanitation in villages is a thing unknown, and that the district boards are very remiss in their duties in this direction. A very effective means of improving village sanitation in my humble opinion will be to provide in every district a separate officer of the rank of an Extra Assistant Commissioner, whose sole duty should be, under the general control of the district officer, to suggest and supervise the arrangements whereby through the agencies of district boards village sanitation may be placed on a more satisfactory basis. It is true that Government will have to incur substantial expense on this arrangement, but, Your Honour, this is in my humble opinion a very practical method of evincing interest on the part of the district boards in village sanitation. Coupled with sanitation, I will advocate with all the emphasis at my command the imperative duty of placing medical aid and relief within easy reach of the zamindars. Let the dispensaries be sown broadcast at Government expense in important centres so as to be within the reach of villages, four or five miles distant. The question of Lady Doctors is one that transcends in importance many a scheme of social, political or intellectual reform, and it is time that something were done to relieve the distress of the zenanas in out-of-the-way and isolated

[*Nawab Sir Bahram Khan.*]

villages. I would respectfully appeal to Your Honour as the author of the King Edward Memorial Hospital scheme to lend the weight of your exalted opinion to this humble proposal of mine and to see before making over charge of your duties that some start in the direction indicated by me is made in the near future. In conclusion, I wish Your Honour a long and happy life after the well-earned retirement from active official life which is now before you."

The Hon'ble Nawab Sir BAHRAM KHAN spoke in Urdu, a translation of which is as follows :—

"Your Honour,—This is probably the last occasion on which Your Honour is presiding over the deliberations of this Council. It will take a very long time to describe in full detail all the conspicuous acts done by Your Honour for furthering the prosperity of this province, and, moreover, they are so well known that they do not need repetition on my part. Still I cannot help saying a few words.

"The new Council scheme has been sanctioned in Your Honour's time, and gives the people a right of electing members as their representatives, and the nominations made by Your Honour were wise and excellent.

"The enactments placed on the statute book during Your Honour's term of office have given full satisfaction to the people. Two big irrigation canals have been opened in Your Honour's time which will help in furthering the prosperity and happiness of the people by watering myriads of acres of dry land that had been lying unirrigated. It may be noted especially that at the time of Your Honour's taking over charge of this august office the atmosphere of the Indian Empire was full of sedition, but the Punjab, through Your Honour's skilful management, great courtesy and excellent administration, remained quite safe from its influence.

"The Punjab Chiefs' Association has been established in Your Honour's time, which is a body that considers loyalty and devotion to the Crown as its primary duty.

"The attention bestowed by Your Honour to the preservation of the monuments of the ancient rulers of this country will be remembered for ever.

"In short all the districts of the Punjab have generally benefited by Your Honour's touring visits, and wherever there appeared a difficulty insurmountable by the local officers it was at once removed by Your Honour's kind attention.

"The district of Dera Ghazi Khan, wherein I have the honour to reside, has been the special object of your kindness. When the town of Dera Ghazi Khan was swept away by the river Your Honour took the trouble of visiting it three or four times, and thus laid the subjects under a debt of gratitude by your generous sympathy.

"Without exaggeration or flattery it would not be out of place for me to say that Your Honour's reign has been a blessing to us.

"Now, I beg Your Honour's permission to invite your kind attention to the financial position of Dera Ghazi Khan. It has ever been a commercial city of note, and it did not attain to its prosperity and happiness during the British rule only, but was on a high level in this respect in previous times also, a fact which is borne out by Sir Alexander Burns in his personal narrative of a journey to Kabul. In those days its trade was very extensive, probably it had commercial connections with such trade centres as Kandahar and Shikarpur. It, however, gained further importance during the benign British rule. But during the last 15 or 16 years the encroachment of the river has thrown it in great distress, so much so that the entire town was demolished by

[*Nawab Sir Bahram Khan ; Sardar Daljit Singh.*]

the river and a new one had to be erected. This new town is situated at a considerable distance from the river, and Your Honour has arranged in order to increase its prosperity that a new canal should pass by it. This will assuredly prove highly beneficial to the city, but until it is connected by railway, there is little hope of the people prospering in trade. If the railway line be extended from Mahmudkot to Dera Ghazi Khan and thence to Sakhi Sarwar, the way to trade with Barkhan Division of Baluchistan, Musa Khel and the Kohlu tahsil will be opened. Food grain and wool are imported to this district from those places on account of its being adjacent to them, and the extension of the railway line will, therefore, facilitate their transport to other districts of the Punjab and to Karachi. It will, moreover, cause great convenience to thousands of pilgrims who go on pilgrimage to the shrine of Sakhi Sarwar from other parts of the country. It is needless for me to go into further details as Your Honour has been on the spot.

"I beg to conclude these remarks with an expression once more of our deep sense of gratitude towards Your Honour."

The Hon'ble Sardar DALJIT SINGH :—" Your Honour, it is a matter of sincere congratulation that for the third time during Your Honour's tenure of office the Punjab has been able to have a prosperous budget. Husbanding the resources of the Province, improving agriculture, stimulating industries, are things which bring about such happy results. Your Honour's Government has been alive to this fact, and it reflects most creditably on the Financial Department of our province that we are not only living on the credit side, but that we have accumulated such surplus which we may fall back upon if there be a necessity in the future.

"It is a matter of great gratification that now provision has been made for road bridges over Sutlej, Beas and Ravi. Then the educational grants, especially those for the hostels attached to the Medical College and School of Arts, are the most welcome. Last but not the least is the provision in the present budget for a preparatory school for the Chiefs' College.

"This is the last occasion when we see Your Honour presiding over the deliberations of this Council, and I cannot help speaking a few words about one who has not only been the centre of executive authority, but the cynosure of all sincere affection and whole-hearted devotion of the people of all castes and creeds of this land whose destinies he has ruled for the last five years. Sir, I do not ventilate these sentiments on behalf of a particular political or communal body, but I do re-echo the vibrations of the innermost chords of the contented and gratified heart of the whole of the Punjab, with whom has been associated the best part of Your Honour's active life. If for one more than the other class I express their sincere regret for the approaching parting, it is the landholder and the aristocrat, whose welfare along with that of the general public has been your solemn solicitude.

"Sir, by many acts for the welfare of the aristocracy and agricultural classes you have made us intelligently feel that we have got the greatest vested interests in the country and are bound to support Government in maintenance of law and order.

"It was in Your Honour's time that the first enlarged and reformed Council sat in the Province and out of its many activities the Panchayat Act already passed and the new Excise Bill when passed into law will ever be remembered by the whole of the Province as unmixed blessings.

"Though this Council has nothing to do with the various executive measures adopted for industrial, agricultural and educational improvements in the Province, yet upon these mainly depends the material prosperity of a country.

[*Sardar Daljit Singh ; Mr. Ram Saran Das ; Babu Gajjan Singh.*]

"Reforms enunciated or perfected by Your Honour in these lines will be always associated with your name, and Your Honour's treatment and courtesy have been so generous and unfailing that among prince and peasant alike your name has become a household word. I may be permitted to add here that it is high time that the rival communities took a lesson from the golden words that have fallen from Your Honour, and they cannot better commemorate Your Honour's *régime* than carry out the advice in actual practice not by mere lip platitudes but by sinking the petty differences and working together for the common weal of the public.

"In conclusion, during the five years that Your Honour has been at the helm of affairs in the Punjab the Province has been lucky enough to enjoy unbroken prosperity, and it is a great satisfaction to us that at the time of Your Honour's laying down the reins of the Government of this Province with which you have been so long and so intimately associated the outlook of material prosperity of the people is as bright as Your Honour's auspicious career has been."

The Hon'ble Rai Bahadur RAM SARAN DAS.—"Your Honour, I have very little to add to the budget discussion. We have been witnessing prosperity budgets for the last three years, and I offer my sincere congratulations to Your Honour's Government for bringing about such happy results. The memorandum presented to this Council by the Finance Member shows greatly progressive receipts from the irrigation major works. This year has of course been exceptionally favourable in consequence of timely rains which made up for the shortage of water-supply in the rivers at a critical time, but the Upper Chenab Canal opened last year and the Lower Bari Doab Canal just opened by Your Honour will begin to bring a return next year, and it may be confidently hoped that the receipts from this source will soon become as important as the land revenue if not more. I trust that in devising measures for revision or new assessment of canal charges Government will not overlook the facts that the cultivators look upon the paternal Government with much higher expectations than a commercial concern supplying a marketable commodity, and that, while they do not wish that the up-keep of the canals which are constructed for their benefit should be a drain on other sources of income, they hope they may not be called upon to contribute more than a fair share of the requirements of other departments and classes.

This being the last occasion on which the Council will have the privilege of assembling under Your Honour, I take this opportunity of expressing the gratitude of the people of this Province, particularly those whom I represent, for the most peaceful and prosperous time they have enjoyed in Your Honour's sympathetic rule, and extreme kindness and courtesy which Your Honour has always extended to people of all classes and grades from the highest to the lowest, and I beg to offer Your Honour a regretful farewell. The best wishes and the prayers of the people will always be with Your Honour."

The Hon'ble Babu GAJJAN SINGH :—"Your Honour, also I beg to offer you my congratulations for the financial progress made by the Province during the time of your Lieutenant-Governorship.

"In 1907 and 1908, when Your Honour assumed the charge of your exalted office, the opening and closing balances of the Province were Rs. 54,07,000 and Rs. 20,93,900, while the figures for the same in the year of 1913 and 1914 are Rs. 1,90,09,000 and Rs. 1,46,22,000 respectively.

"This is a record for which any administrator can be proud and may claim the credit for.

[*Babu Gajjan Singh.*]

"Your Honour has earned the gratitude of the municipal committees of the Province and laid them under deep obligations by relieving them of the burden of Police charges, and by making in the present budget further provision of Rs. 2,50,000 to extend the same concession to a number of minor municipalties and notified areas.

"May I take the liberty to suggest the desirability of extending the same privilege to the villages or at least to big ones for the present?

"If Government undertakes the charges of village chaukidars, then the village chaukidars will be available for village sanitation, sweepers taking the place of chaukidars. In this way a beginning can be made to improve the village sanitation,—a subject with which Your Honour, I am sure, has hearty sympathies.

"Education of the agriculturists and particularly of the Sikh zamindars, who are proud of supplying the best soldiers to the British Indian Army, is the other important question to which I beg leave to draw Your Honour's kind attention. While thanking the Government for what has been done in this respect in the past, I may be excused for saying that no adequate provisions have been made for the education of the zamindars in order to enable them to compete with the non-agriculturist classes in the various walks of life. At present there are no high schools except in the head-quarters of the districts, where the zamindars cannot send their sons on account of poverty and various other reasons. In my humble opinion it is very desirable both morally and politically to keep the simple and raw youths of zamindars away from the unhealthy influences of the town life. That being the case, the Government should make adequate provisions for the education of such youths nearer their home. If the financial considerations do not allow of such provisions for the present, the Government should give liberal and special help to the private enterprise where it already exists.

"Settlement being the most important question requires special consideration and attention of the Government.

"I regret I cannot discuss the details in such a short time at my disposal. But I hope to touch this subject in details on some other occasions.

"At present I cannot help remarking that periods of settlement are short. With the complete and exhaustive records-of-rights the present process of settlement is very cumbersome, lengthy and complicated, and entails a lot of botheration, trouble and expenses both to the State and zamindars.

"Now that all parts of the Province have, except new colonies, been settled several times, complete records-of-rights exist for each district, it is hoped that in the interests of the Punjab peasantry disturbance caused by frequent settlements and new assessment should be avoided as far as possible, if not altogether stopped.

"With a very few exceptions almost all the available area has been brought under cultivation, and Government cannot claim further enhancement of revenue on that score.

"No one knows better than Your Honour how expensive these settlements are and what a disturbed element they constitute in the economic life of the village population.

"The best interest of the peasantry requires that they should be free from the anxiety of having their revenue enhanced by these periodical short settlements. Such step would put heart in them and leave them free not only to improve their lands to their hearts' content, but also to take to such other pursuits as would add culture and comforts to their lives."

[*Babu Gajjan Singh ; Mr. Sohan Lal.*]

"Your Honour —I gratefully acknowledge that the financial condition of agriculturists is receiving the proper attention of the Government. So far as history goes the zamindars were never so carefully and sympathetically looked after as under the present Government.

"Land Alienation Act, Redemption of Mortgages Act, Civil Punchayat Act and several other measures are the proofs, if proofs were at all needed to support my views on the point.

"But I regret to submit that the agriculturists are not reaping the full fruits of these boons, the reason being that the administration of these laws is generally in the hands of unsympathetic judiciary. A large number of Judicial officers do not like these measures, and are even averse to them. That being the case they cannot be expected to give full effect to these measures.

"The zamindars so far have not got their due and proper share in the public service, and I most respectfully beg to submit that the time has come that efforts should be made to give them their just and legitimate share in the Government service.

"As Your Honour is going to give up the charge of this Province in the next month, and this is the last meeting of the Legislative Council under your presidency, I beg to close my remarks with a sincere prayer to Akalpurkh that you may be spared long to enjoy the rest that you have so well earned after a long and meritorious service and to do good to the Province where Your Honour has spent the best years of your life."

The Hon'ble Rai Bahadar BAKSHI SOHAN LAL: "Your Honour,—In congratulating Your Honour's Government as well as the people of the Punjab for the continued prosperity of the Province as shown by the Budget statements for the last two years and for the current year, I take the opportunity for offering a few suggestions for the favourable consideration of Your Honour's Government in connection with the Budget for the current year.

"Under the *head* of *Education* No. 22, at page 3, I take the liberty of suggesting that if the funds allow, the minimum pay of the teachers in the Lower Primary Schools rural as well as urban requires to be raised to Rs. 20 per mensem which would not be far above the ordinary wages of common labourers in Lahore. Probably the number of such teachers, who are getting less than Rs. 20 per mensem, may not be very large but it is a matter of great importance to place the position of a teacher on a little higher level than that of an illiterate common day labourer or menial in the minimum standard of the wages. I do not think I need take much time in order to make the Council convinced that the first impressions on the new plate of an infant's mind are to become the basis of his life-long character, and that in securing the welfare of our children the choice of the teachers for the infant classes requires more careful consideration than we give at present in the case of appointing teachers in our Lower Primary Village Schools. The majority of such teachers are not only educationally inefficient, but some of them may not be quite vouchsafed for their good moral character. It is believed that increase in their minimum remuneration will render the post of a village teacher more attractive to better men than what it is at present. My impression is that in other departments the minimum salary of a clerk has been raised to Rs. 20 per mensem, and there is no reason why the village teacher, to whom we entrust our children for the first lessons of morality and intellectual culture, should get less than a common *mazdur* or a lowest clerk, specially when the increase in prices and wages and the general rise in the standard of living requires the teacher to maintain for himself a more respectable position than he now can command in the

[*Mr. Sohan Lal ; Mr Shadi Lal.*]

village. I may also be allowed next to observe that the continuous and steady increase in the excise revenue is not a happy sign of the times, and is causing some alarm in the country inasmuch as it shows that the combined and earnest efforts of the Government and certain religious and reform societies have not succeeded in reducing in this country the consumption of alcoholic liquors. Though such efforts have done some good in the direction of checking spread of the evil among young educated population, they have so far had no effect on the masses. One of the means to reduce the drinking habit among the masses is, in my humble opinion, to prohibit the sale of liquor in local fairs and on the public roadside. I have noticed a number of shops for the sale of alcoholic liquor on the grand trunk roads in the Kangra district. Cannot these shops be removed to a respectable distance from the public view? The present Deputy Commissioner of Kangra district has by his recent orders prohibited the sale of liquor in certain local fairs, for which he is due the thanks of all the inhabitants of Kangra district. It is hoped that this prohibition of sale of liquor at the local fairs is a first step towards the direction of ultimately prohibiting the sale of liquor in public places and on the roadside. The example set by the Deputy Commissioner of Kangra is expected to be followed by the other districts, as there is nothing strange in the proposition that in this country drunkenness leads to crime, and that the districts which contribute more to the jail population are believed to be more addicted to the vice of drinking than those which are comparatively less contributors to the jail population. I shall like to have the real causes of the increase of the offences of dacoities in certain districts thoroughly enquired into as in my humble opinion intemperance is also one of the causes of such atrocious offences in these times of prosperity. The next thing which strikes me on this occasion is that while the post of Tahsildars and Munsiffs and Police Inspector are said to be of equal grades there is no reason why the starting pay of a Police Inspector should be less than that of a Tahsildar and Munsiff. The starting pay of a permanent Tahsildar or a Munsiff being Rs. 175, justice requires that the starting pay of a Police Inspector be also raised to Rs. 175 per mensem, specially when there is a saving in Head No. 20—Police.

Lastly, as representative of the agriculturists of the central group of the districts, I crave permission to express their hearty gratitude to Your Honour for the immense good and benefit to them caused by the Triple Canal Project scheme so successfully initiated, perfected and carried out under Your Honour's learned and wise directions and during Your Honour's *regimé* as to render the recurrence of a famine in this Province extremely rare, if not quite impossible. The steadily increasing prosperity of the budget, which evidences the prosperity of the agriculturist, who is the greatest contributor to the Government revenues, is due mainly to this vast extension of the canal irrigation and of the railway communications in the land of the five rivers, and the people of the Punjab will never forget the immense boons of Your Honour's five years' good Government of this Province and the material improvements of permanent nature effected in the country all round as monumental works to mark for ever Your Honour's good Government."

The Hon'ble MR. SHADI LAL.—" Your Honour,—With your permission I should like to make a few remarks on the budget presented to-day by the Hon'ble Mr. Mant. But before I do so I take this opportunity of congratulating him very heartily on the successful working of his department during the past year and on the prosperity budget he has presented to-day I should at the same time like to thank him for the very useful and comprehensive memorandum which he circulated to the Members of the Council at the last meeting which gives a very complete account of the finances of the province. I find from this memorandum that the Government of India have for the first time this year made a beginning in accepting the recommendation of the Decentralisa-

[*Mr. Shadi Lal.*]

tion Commission in making grants which are not earmarked for specific purposes. I think this is a step in the right direction, and we do want decentralisation in matters of finance, but decentralisation means at the same time a greater vigilance on the part of the Hon'ble Members of this Council over the finances of this province, and I do hope that the Members of the Finance Committee will scrutinise very carefully the proposals of my Hon'ble friend in utilising the money. There is another matter in connection with the finance which has struck me very much. I find that there will be a balance of very nearly one million sterling at the end of the present financial year or to be exact, there will be 1 crore 46 lakhs. I am not quite certain whether fat balances always mean good finance, but I do think that we should not always go on accumulating these finances. I do not know whether it is possible to invest these balances in some sort of remunerative works or in some sound productive work or in payment or reduction of debt on which we have to pay interest. If we utilise our balances in that way we will be drawing some income, and this is a matter which deserves the earnest attention of the Finance Member and the Punjab Government. I know that the Local Government is not quite independent of the Government of India in this matter, but the wishes of this Council will probably be laid before the Finance Department of the Government of India. It is just possible that that department might agree to the suggestion which I have put before this Council. There is one observation which I would like to make in connection with the functions of the Finance Committee. Perhaps it might be thought that I am opening my mouth too wide. In the year 1910 when the Finance Committee first came into existence I made certain suggestions for increasing the scope of the work of the Committee, and Your Honour very kindly promised an enquiry into the matter. As the result of that enquiry we have during the succeeding years had large amounts as unallotted sums placed at the disposal of the Finance Committee. I am not aware of the exact procedure which was adopted by the last Finance Committee because I was not a member of it. My experience of the previous Finance Committees has, however, led me to think that the functions of the Finance Committee are more or less of a consultative nature. Cut and dried schemes involving additional expenditure are placed before the Finance Committee, and at the same time a fairly large amount of unallotted money is placed before it. The Committee is asked to distribute the money among the different schemes which it considers proper. This is no doubt good, but I should like to ask whether it is within the province of the members of the Finance Committee to initiate new schemes, to suggest proposals for additional expenditure or for the reduction of expenditure or for increasing the revenue of the province. This is a matter to which I have given some consideration, and I think that if it be possible for a member of the Finance Committee to make proposals of that kind perhaps some of us might be inclined to make suggestions. From these general remarks on the finances of the province, I now proceed to make a few observations in connection with the department which is in charge of the Hon'ble Mr Godley. At the last meeting of the Council he was pleased to mention before this Council that the Government of India had made a new grant of 11½ lakhs. He was not at that time in possession of the information as to the purposes for which the grant was to be utilised. He was not aware whether any portion of the grant was earmarked. I hope the Hon'ble Member has by this time got the necessary information, and will be able to make a statement on this subject before the Council. At the last meeting I also asked him a question in connection with the inspecting staff of schools. I urged upon him the desirability of making some addition to that staff. In answer to that question he said that in the present budget, provision had been made for 12 Assistant District Inspectors of Schools. So far as it goes it is satisfactory, but I am not sure whether this meets the situation which I had in view. My point was this: there are at

[*Mr. Shadi Lal.*]

present five Inspectors of Schools for the five divisions, and so far as my knowledge goes these five Inspectors of Schools are not in a position to cope with the increased work which has fallen on them. The number of schools has increased very much during the last few years, and I am almost certain that it is very difficult for them to efficiently discharge the duties which the department requires of them. I would commend this aspect of the question to his consideration.

"With regard to the collegiate education, Your Honour will be pleased to know that the Oriental College in whose welfare Your Honour has taken a lively interest is at last going to have a suitable building, and it is estimated that that building will be able to house not only the Oriental College, but also the Law College, and there will be some rooms for the hostels of the colleges. This is a very satisfactory arrangement I beg to thank Your Honour on behalf of the University for the kind interest which you have taken in all matters relating to the University. I may be allowed to make a request on behalf of the Universiry. It is with reference to the house which I understand belongs to Government and is now occupied by the City Superintendent of Police That house separates the Convent property from the road which goes from the Anarkali to the District Courts The Convent property is at present shut in practically on all sides If we get that house, which we require for the Principal of the Oriental College, I think it would be a great improvement indeed. That would bring the University property on to the road and also near the other University buildings. If Your Honour will see no objection to the transfer of this building to the University authorities, I shall be very much obliged. The two colleges maintained by the University would in the future be in a fairly prosperous condition, but I cannot say the same thing about the private colleges of Lahore. Since the introduction of the inspection system they have made great improvements The Inspection Committees have been making suggestions not in the capacity of a hostile body, but have made friendly suggestions for the improvement of the different institutions. And the latter have tried their best to meet the wishes of the Committees. Behind the friendly recommendations of the Inspection Committees there is the sanction in the shape of disaffiliation which the University holds *in terrorem* over the heads of the colleges in order to make them comply with the demands of the Inspection Committees There is, however, one complaint which has been made by the heads of these institutions, and I think there is some force in it. They tell us "you want us to extend hostels, you want us to provide playgrounds for the students, you want us to provide properly-ventilated class rooms, but we have not got land for all this, the value of the land in Lahore is rising every day and we cannot get it." I do not know whether it is easy to solve this great problem One college I find has taken a very bold step of deciding to move from Lahore to Shahdara. A great deal depends upon the success of this decision I do hope it would be successful and the College would prosper there. But it is yet too early to say anything definite If schemes of that kind could be adopted by all the colleges it would be a very good thing indeed, but I find that the other colleges are not going to move from Lahore. They have to get some available space in their neighbourhood for their extension In this connection I request Your Honour to consider favourably the applications of private colleges for the purchase of small plots of nazul land in their neighbourhood, and if there is no objection on the part of Government to sell those plots to the colleges, I think it would be a very good thing indeed. I know that Government also requires land for different purposes, but it seems to me that the necessity of the colleges is greater than the necessity of the Government. The colleges cannot go anywhere and everywhere. The plots of land in their vicinity are almost indispensible to them. Government, at any rate, can find other land

[*Mr. Shadi Lal.*]

for its requirements. If the educational institutions are ready to pay a reasonable price I hope the question of selling land to them will be favourably considered. These are the general remarks I want to make in connection with the budget As this is the last occasion on which Your Honour will preside over the deliberations of this Council

"As this is the last occasion on which Your Honour will preside over the deliberations of this Council, and as before long Your Honour will make over charge of your august office, I hope you will permit me, Sir, on my own behalf and on behalf of my Hon'ble Colleagues, to give expression to our sense of genuine regret at Your Honour's approaching departure from this country. I do not propose to repeat what I said at the meeting of the Council held in December last as to the important part you, Sir, have played in the establishment and growth of a Legislative Assembly for this Province and the tact and sympathy you have shown in guiding the deliberations of the first reformed Council. Sir, I desire to bear my humble testimony to the kindness and courtesy we have invariably received from you in the discharge of our duties in this Council and the consideration you have shown to the non-official members and their views. The suggestions made by us for improving the administration of this Province have been well received and, in several cases, steps have been taken to give effect to them. It is a matter of sincere gratification to me that Your Honour has lately given your careful and sympathetic consideration to the much-needed reform of raising the status of the highest judicial tribunal in this province, a reform which I had the privilege to advocate by moving a resolution in the Council two years ago I hope it will not be long before the efforts of Your Honour in this connection are crowned with success and the Chief Court is converted into a Chartered High Court.

"As regards other important matters which have engaged Your Honour's time and attention during the last five years, it would not, I hope, be considered presumptuous on my part to say that Your Honour's extensive knowledge of the Province and its people has been of great advantage in dealing with the problems which have come up for consideration.

"In 1908, when Your Honour was called to the administrative charge of this Province, you were not new to the Punjab. Having spent over 25 years of your eminently distinguished service in the Province and being personally well known to the people, all classes and denominations united in welcoming what they regarded as your home-coming. As a Settlement Officer, as Deputy Commissioner and as Chief Secretary to Government you had laboured strenuously to further the prosperity of the Province. Your keen interest in the promotion of agriculture, art and industry led you throughout your official career to propose and suggest numerous schemes calculated to further the material welfare of the Province. As Resident in Kashmir you succeeded in persuading the Darbar to embark on large schemes for producing electrical power which, when developed and available in sufficient quantity, is sure to revolutionise the industrial development of the State. As Lieutenant-Governor of the Punjab you had opportunities to give effect to some of the large ideas that originated in your fertile brain and you availed yourself of those opportunities. At the commencement the paucity of funds handicapped you somewhat. But you went on elaborating your schemes. By liberally helping private enterprise, in holding an Industrial and Agricultural Exhibition, by creating a separate Department of Industry, by suitably strengthening the Department of Agriculture, by using your influence in expediting the completion of the Triple Canal Project, and by holding an Industrial Conference on which non-official Indian interests were duly represented, Your Honour has given a vigorous impetus to the furtherance of agriculture, art and industry. Industry in the Punjab is handicapped by lack of power to work machinery ;

[*Mr. Shadi Lal ; Khwaja Yusaf Shah.*]

the distance makes the cost of coal an almost prohibitive item of expenditure; and the coal resources of the Province would hardly be adequate even if they could be developed in the near future. When the various schemes for the production of power from water which Your Honour has initiated and set on foot come to fruition, Punjab will make a decidedly great advance in industry, and millions of people will have cause to bless your good and great name. Hungry men, Sir, are angry men ; and I feel sure that the provision of suitable and remunerative employment for Indian young men is the surest panacea for discontent and unrest in the country. We are grateful to Your Honour for the sympathy and appreciation you have always accorded to indigenous talent and merit. Education, more especially female education, and urban sanitation, have received liberal treatment at Your Honour's hands.

" We all know how busy a Lieutenant-Governor is, and my countrymen of all classes are deeply grateful to Your Honour for the help and encouragement you have given to social functions held with the view to promote friendly intercourse between Europeans and Indians. Your genial and kindly presence at these functions held at the houses of private individuals or under the auspices of public bodies greatly helped and encouraged workers in this good cause. The hospitality of Government House has been extended to Indians during the last five years to an extent not attempted before ; and I shall be only voicing the feelings of my countrymen if I make a brief reference to the large extent to which Your Honour's efforts in this direction have been seconded by the noble lady who has presided over your happy home and who has been your true help-mate in life, and who has never spared herself in contributing to the success of the social side of your administration. May you and Lady Dane live long and prosper and may God Almighty bestow upon you and yours His choicest blessings is the heart's prayer of the people of this Province !"

The Hon'ble Khan Bahadur Khwaja YUSAF SHAH :—"Your Honour, I beg to congratulate Your Honour on the financial progress which this Province has made during the term of your office. A glance at the table given in the Financial Statement will at once show Hon'ble Members that the great advance in the growth of the revenue has been stimulated by Your Honour's efforts. Foremost among the various schemes that Your Honour introduced with a view to place the finances of the Punjab on a more satisfactory basis was the construction of canals, which Your Honour pushed on so rapidly and which are now of such great benefit both to the cultivators, to the people and to the public revenues. With this growing income there has been no lack of projects for expenditure, and Your Honour has never hesitated to take in hand as far as funds would permit such of those projects as were really useful and in consonance with the public opinion.

" As regards sanitation and education, they have always been the watch-words of Government, and they have been carried out as far as it was possible, under the circumstances, to carry them out. No doubt much remains to be done both as regards sanitation and education, and I find that the provision made in the budget for these two important matters is ample, a great deal more than we could possibly be able to spend during the year. However, with regard to sanitation of urban and rural areas, particularly the latter, any independent and hasty action on the part of Government without first ascertaining the wish of the people will, I venture to submit, be a blunder. Only a few years ago—and I think it will be within the recollection of some Hon'ble Members—that in certain villages in a district of this province where cholera was fearfully raging the medical staff of that district was ordered to proceed to the spot with a quantity *of* per manganate of potash to put into the wells to kill germs. The water of the wells having become red, the villagers thought that it was some

[*Khwaja Yusaf Shah ; Sardar Sundar Singh.*]

sort of poison and totally refused to draw water from these wells. A place convenient to him near his house to deposit filth is much dearer to a villager than any sanitary measure which may even be conducive to his health. In the closing speech of Your Honour at the last meeting of the Council on the resolution proposed by my Hon'ble friend Lala SHADI LAL, Your Honour rightly observed that 'It may be unreasonable opposition no doubt, but it is very strong opposition. We have got to combat that opposition, and hope to do it by a great extension of primary education; but in the existing state of things I am quite certain that if you introduce a strange committee going about the districts and making sanitary proposals for the various villages in that district you would probably very soon arouse a swarm of bees of an exceedingly unpleasant character.'

"As regards education, the liberal grants recently sanctioned from the Imperial revenues and the improved condition of the finances of the Province have rendered it possible to budget for a large increase in the educational expenditure, and I have every hope that the extension of elementary schools and the education of girls will have the first consideration of the authorities concerned; but in this connection also I think I may be permitted to point out that a mere numerical increase of schools without first providing suitable buildings and equipment and securing the services of efficient teachers will not have the results which we all desire. All this will of course take time.

"To the great regret of every one of us, Your Honour's connection with this Province will soon be severed. But whatever Your Honour has done for this Province will be gratefully remembered by all communities. A good deal is due to Your Honour in the introduction of constitutional reforms of 1909 in this Province. A few years ago a Council composed as is our Council to-day would have seemed beyond expectations. During the last three years there may have been differences of opinion; we have nevertheless always cordially appreciated and admired the great talents, the extraordinary ability, the high moral purpose and not the least of all the untiring and conscientious application and devotion to duty which have characterised Your Honour's work as the head of one of the most important administrations in this country. I may be permitted to add one word to what I have said to give expressions to the earnest prayers of each and every member of this Council, that Your Honour, and in this connection I may add Lady Dane, will live long to enjoy happiness and prosperity."

The Hon'ble Sardar Bahadur Sardar SUNDAR SINGH, Majithia :—"Your Honour, in offering my congratulations to the Finance Member for again presenting a prosperity budget I have to remark that our Hon'ble colleague has not, in any way, stinted expenditure where it was necessary to incur. The demands of all the departments have been sympathetically met and still the net result is expected to be a clear closing balance of Rs. 1,46,22,000, thus showing that the resources of the Province have been judicially husbanded under the sympathetic care bestowed upon it by Your Honour.

"I hope I shall be excused if I say a few words expressive of our feelings on the present occasion, as this will be the last meeting of the Council which will be presided over by Your Honour. The destinies of the Punjab for the last five years have been in the hands of a ruler who has been known for his courtesy, sympathy and kindness to all and whose keen insight into the things and the mature judgment and experience that he brought to bear upon the affairs of the Province placed under his charge have led to the well being of all the classes inhabiting this Province. Your *régime*, Sir, has witnessed the expansion of the legislative machinery of the Province, and the new enlarged Councils, in which all the different communities have found a

[*Sardar Sundar Singh.*]

just and proper representation, are the result of your sympathetic care. Under your guiding hand the first enlarged Council passed many a useful measure and the dicussions though varied have generally been harmonious and the members have always had a kind and a patient hearing from the chair. The agricultural prosperity of the Province has been chiefly due to the extensive irrigation schemes—in themselves a wonderful production of engineering skill—that have been carried out during the *régime* of Your Honour and those who are in the know can well understand the care and the keen insight that have been displayed by Your Honour in the carrying out of these projects. The usefulness of this investment will not only add to the wealth and opulence of the inhabitants of this Province, but some of the poorer inhabitants of the adjoining States from which the labour employed on these projects has been drawn have, by the way, benefited thereby. These canals will prove a safeguard in the year of scarcity, though we all fervently pray the Almighty to spare us from such a calamity.

"Though we have greatly suffered from the ravages of plague, but your Government has not spared any pains to combat with this disease. But a great deal in this respect depends upon the people themselves. Unless they learn to live in well-lighted and well ventilated houses we can't hope to get rid of this fell disease. The advance of education particularly in the remote villages and the dissemination of the useful literature in the mother-tongue of the people will bring about the desired result. Just at present Government cannot move too fast in this direction, as the ignorant masses are very apt to misunderstand the good intentions of the Government. This brings me to Punjabi, the mother-tongue of the Province, which is spoken in every home and hamlet and which in fact we imbibe with our mothers' milk. This subject has received a most sympathetic consideration at Your Honour's hands, and with the acceptance of the Roman Script the jarring controversy and the most unsympathetic attitude that has been adopted by some of the sons of the soil towards it will, I hope, for ever be set at rest, and the mother-tongue of the people, it is hoped, will take its rightful place in the Province from which it has so long been debarred, and for this solution the hearty thanks of the Punjabis are due to Your Honour.

"Before concluding I have to thank Your Honour for the kindness that you have been pleased to show to the Sikhs who form an important community of this Province. As compared with its sister communities, though we are a minority, but in the Punjab we have held a unique position, and since the annexation of the Punjab our devotion and loyalty to the Sovereign have been consistently steadfast, and we are thankful that our claims have received sympathetic consideration of Your Honour. With Your Honour's kindness we have in this Council three representatives of our community, and for this the thanks of the Panth are due to your good self.

"Your interest in our welfare and in our institutions has been most kind and has given us redoubled energy to improve our backward condition, and the past decade has seen us rapidly making leeway towards the goal of communal advancement and thereby coming abreast with other communities in the race of learning.

"Our hearts are sorry at the thought of parting with a sympathetic and kind Governor who has guided us in the past five years so considerately and thereby won our respectful affections. We are no less thankful to Lady Dane for the kind interest her Ladyship has taken in the well-being of our sisters and the motherly care she has bestowed on the institutions for the bringing up of our womenfolk.

"In bidding Your Honour a profound and respectful farewell we wish Your Honour and Lady Dane many years of happiness and prosperity

[*Mr. Currie ; Nawab Ibrahim Ali Khan ; Lala Kashi Ram.*]

in the well-earned rest from active life and pray and trust that Your Honour's wide and varied experience and wonderful energy may still find a useful career in England in some way or other connected with India and that the people of the Punjab and the Sikhs will ever be remembered by Your Honour."

The Hon'ble Mr. CURRIE :—"Your Honour, I desire to be associated with the words which have fallen from my Hon'ble colleagues in expressing their appreciation of the courtesy which Your Honour has extended to all the Members of the Council. On behalf of the commercial community I desire to say that Your Honour's great and sustained interest in everything calculated to promote commerce and industry has been greatly appreciated. Your Honour has also given great concern to all measures to provide for the young men who are coming with their education to take their places as useful citizens. Indeed, Your Honour's term of office will always be remembered as one associated with exceptional measures of sympathy and wisdom—wisdom expressed in the measures that have been directed by Your Honour, and great interest and sympathy with everything that was calculated to promote the welfare of the people."

The Hon'ble Nawab IBRAHIM ALI KHAN :—"Your Honour, some of my Hon'ble friends have spoken before me about the distinctive features of Your Honour's administration and personal virtues and some might come after me, which I take for a proof of the high respect and sincere affection which the province cherishes for Your Honour.

"Sir, I come from that part of the Province which is comparatively backward in Western education, and if instead of polished platitudes I use plain and simple language, I should not be taken to be lacking in the love and sincerity which the whole Province has for Your Honour.

"It has been said that a constitutional Government is invariably impersonal; consequently it does not reach the hearts of the people it governs. But Your Honour, by evincing a personal interest in all matters of importance and welfare of the people, and by Your Honour's obliging courtesy and kind treatment of all who came in contact with Your Honour, have brought home to all who are concerned in the good government of India how a constitutional ruler can win the hearts of the people entrusted to his care.

"It is a matter of great gratification that the financial conditions of the Province have throughout been in a very flourishing state, and to-day we find a handsome surplus to which we can fall back in times of need. Your Honour's successful career, I strongly hope, stands a living example of a constitutional Government stamped with personal sympathy and interest.

"Sir, the language of genuine feelings is short, and feelings moved by Your Honour's approaching departure from the Punjab are so impressive and overwhelming that I cannot express what I with others feel, and so resume my seat joining others in the sincere wish that Your Honour and Lady Dane may enjoy many a year of happiness and well-earned rest."

The Hon'ble Lala KASHI RAM :—"Your Honour, after all that has been said in praise of the highly efficient and sympathetic administration during your period of office I think it would be a mere repetition on my part if I were to say anything on the subject. I think it only remains for me to associate myself with all that has been said in praise of that administration, and I congratulate Your Honour upon the all-round progress which the province has made during Your Honour's *régime* and upon the good opinion that Your Honour will leave behind and the good wishes that Your Honour is carrying

[*Lala Kashi Ram ; Mr. Mant.*]

with you. I have only one remark to make in connection with the prosperity budget upon which the Hon'ble the Finance Member has been congratulated, and I join in all that has been said in congratulating him upon the way in which he has handled the difficult problems of this complicated budget. There is only one point in connection with which I have to ask Your Honour's attention and that may be taken into consideration in framing the next year's budget. That is in connection with the resolution which we were discussing upon the improvement of the sanitation of the villages. Your Honour was good enough to hold out hopes that Your Honour would undertake to advise the district boards for forming sub-committees and attending more to the sanitation of the villages. In connection with that I would ask Your Honour to consider if it would not be a proper thing to institute a separate department with an expert in hygiene, so that that department may be in a position to look more carefully to the requirements of hygiene of the school children, sanitary improvements of the towns and sanitary improvements of the villages : it would be a gain to the province to have an expert in hygiene with a separate department of his own for giving advice to the district boards, municipalities and generally to Government. In the end I join with all that has been said for congratulating Your Honour and in wishing Your Honour a long life and prosperity in retirement, in which we hope your interest in the welfare of this province, which you have loved so well, will continue."

The Hon'ble Mr. MANT :—" Your Honour, – As time is getting short, and I know that the Hon'ble Members are anxious to hear your Honour's last remarks in this Council I will confine myself to a few main points and not attempt to traverse the wide field over which to-day's discussion ranged. The Hon'ble Mr. SHADI LAL has criticised our large balances and conveyed a delicate suggestion that they indicate bad finance. Now *primâ facie* that criticism is perfectly correct, but it must be remembered that the financial powers of the Local Government are somewhat restricted. I have already explained in my printed memorandum that the Government of India have refused to allow us to invest our balances. Therefore we simply have to choose between keeping them and spending them. As regards the question of spending them it must be remembered that they have been acquired from sources which are non-recurring. The balances have been built up mainly from land sales on the canals and from special grants from Imperial funds. In this connection I do not think I can do better than remind my Hon'ble friend of the remarks made by the Lieutenant-Governor of the United Provinces at the budget discussion there the other day. Sir James Meston brought out three points which are equally applicable to the Punjab. The first was that all the projects on which money might be spent involve recurring expenditure in some form or another. The second was that we have no guarantee that we shall get any more grants of this kind. The prospects of the future opium surplus are very uncertain. And the third point is that there is not enough money to meet all demands. It is therefore obviously necessary that the whole of the demands should be collated and compared before the money is given out. It is obviously right, for instance, to await the results of the Sanitary Conference before giving away any more money for sanitary projects. My Hon'ble friend also criticises the constitution of the Finance Committee, and complains that its functions are purely formal. I do not know whether this is the opinion of the present members of the committee, but I do claim that if the committee fails to exercise a real check upon the budget it is not my fault. For the last two years I have steadily tried to give the members every opportunity to criticise the official proposals and to put forward their own views. I am not quite sure what more the Hon'ble Mr. SHADI LAL wants. If he wants to give the committee the spade work of the budget, that is now done in the Secretariat, they are very welcome to it, but I do not think it would be very

[*Mr. Mant ; Mr. Diack.*]

easy to find members for it. I cannot help thinking that my Hon'ble friend, who is usually so up-to-date, is a little behind the times in this matter. If he had been on the present committee he would have found the non-official members taking a real part in the constructive work. Perhaps one instance will suffice to show what I mean. It was in consequence of the suggestion made by a non-official member that two lakhs were added in the budget this year for distribution to the district boards to assist in maintaining roads. There is one other point: it was Sardar GAJJAN SIGNH, I think, who suggested that the Government should take over the village chaukidars, and that the present chaukidari cess should be devoted to village sanitation. I may say that this question has already been under the consideration of Government. Enquiries are being made as to the present cost of chaukidars, and as to the cost of replacing them by police. But the figure is bound to be very large, and I am afraid Provincial Revenues will not be able to undertake the charge without assistance from the Government of India. However, a neighbouring province has recently received a large grant from Imperial Revenues for a practically identical purpose, and if we can make out a good case I can assure the Council that the Local Government will not hesitate to lay it before the Government of India. In closing I should like to express my acknowledgments to the various members who have spoken for the kind way in which they have received the budget, and especially to the members of the Finance Committee whose assistance, both at the preliminary and at the later stage of the budget, has been of the utmost value. Finance is sometimes perverted to political purposes, but it is essentially a non-party subject, and I think we can claim that in this province at any rate it has not been affected by the apples of discord which have been dropped in certain recent discussions, and on the Finance Committee the representatives of this Council have always shown themselves actuated solely by a desire to lay out, to the best advantage, the increasing funds which recent years of prosperity have so fortunately brought to the Provincial Exchequer."

The Hon'ble Mr. DIACK.—"Your Honour, of the Hon'ble Members who have spoken there are two critics of the land revenue, the Hon'ble M. MUHAMMAD AMIN KHAN and the Hon'ble Babu GAJJAN SINGH. The criticisms have not been very severe and my reply, I am glad to say, will be very brief. They referred to the desirability of a longer term of settlement and the Hon'ble Sardar GAJJAN SINGH referred to the harassment to the people resulting from a revision of rates. They do not seem to be aware of the advance that has been made in both directions during Your Honour's term of office and under your direction. In the districts of Attock (in which the Hon'ble M. MUHAMMAD AMIN is interested) and Rawalpindi the period of the new settlement is 20 years which used to be the ordinary term in the Punjab, but those were settled before Your Honour took over charge and the period of settlement was practically settled before you assumed charge of the office of Lieutenant-Governor. Of the other districts which have been settled in your time the following have each been given a term of 30 years: Hissar, Rohtak, Gurgaon, Delhi, Karnal, Ludhiana and Gurdaspur, and of these districts three had previously only a 20 years' term, that is to say, Hissar, part of Karnal and Gurdaspur. I think we may take it that as far as possible in the districts which are now or may hereafter come under settlement the term will ordinarily be 30 years.

"As regards harassment, I had to speak on the subject about three years ago on a similar occasion. I then was able to point to the Ludhiana settlement which was completed in three years. I am glad to say I can now point to another settlement which has been practically completed in that time, that is, Amritsar. In Ferozepore, too, the work has been carried through very quickly It has been completed in 2 tahsils in little more than two years and is approach-

[*Mr. Diack ; The President.*]

ing completion in two others. And I might also draw attention of the Hon'ble Members to the manner in which the revision of records has been carried out in the Gujrat and Lahore districts. In Gujrat it has been completed two years in advance of re-assessment, and in Lahore one year's work has been done in advance of settlement, and the bulk of the revision work will have been completed in two years. We cannot always count on getting the work finished in that time, but it should never now exceed three years.

"The Settlement Officer of Amritsar on one occasion asked a zamindar his opinion about the manner in which the settlement was being done. He said—"Sir, we have not even known that there was a settlement in progress at all." When that point has been reached, settlement has surely been shorn of much of its terrors.

"I will say just one word more on the subject that is first in our thoughts to-day, the non-official members have detailed so fully the admirable qualities Your Honour has shown in conducting the business of the Council that there is nothing left for me to add. I will only say that we, official members, wish to associate ourselves with the non-official members in thanking Your Honour for the kindly manner in which you have presided here, and in wishing you and Lady Dane a very long and happy life at home in England."

His Honour the PRESIDENT :—" Gentlemen, I am afraid that your warm hearts have led you to dwell so much upon my numerous excellences, mostly imaginary, that you have been pleased to represent to yourselves, that you have not given yourselves as much time as you might have wished to consider other matters of a more permanent interest to the Province arising out of the budget discussion. However it is the very fact that the Punjabees have a very warm heart that enables them and us to get along so well, and therefore I cannot blame you, even though you have made me feel very uncomfortable by hearing the reiterated praises of myself from every non-official member of this Council. I can only assure you that I value your opinion and that, wherever I am, my services will be entirely at the disposal of the Punjab. I ought to add, though perhaps it is not quite a matter usually mentioned in a Legislative Council, that I thank you for your very kindly references to Lady Dane. The Punjab does owe a great deal to her, and I also owe a great deal to her for assistance in the administration.

"And now to turn to other matters. I think Hon'ble Members have seen this very interesting paper* which the Finance Member has prepared showing the actual expenditure from 1907-08 up to 1912-13 and the budget for 1913-14. I have often had occasion to draw attention to the way in which this Government was hampered in the earlier years of my administration by an absolute want of funds, and this statement lends most cogent proof to the remarks I have ventured to make. You will find that the closing balance of 1907-08, that is to say shortly before I took charge of the Province, was about 30 lakhs. That was bad enough, because a very large portion of that balance consisted of special assignments for improvements in Simla and for other purposes, which were not available for general purposes ; but the position was even worse then would appear from those figures If you will look at the next column you will see that the balance at the end of 1908-09 was only 14½ lakhs. Now it was the balance at the end of 1908-09 with which I had to deal, because the budget for 1908-09 was fixed before I took over charge and it would have been most improper of me, seeing that I had not the information at my command at that time, to alter the budget figures for that year. So the

*See Appendix B.

[*The President.*]

position I found myself confronted with was that I had a balance of only 14½ lakhs, and out of that 14½ lakhs no less than 13 lakhs consisted of special assignments for work at Simla which could not be touched by the Provincial Government. The Provincial balance therefore on my assumption of office was 1½ lakhs. I was abused freely in the paper for want of sympathy with almost every conceivable branch of the administration because I did not allot money for it. You, gentlemen, know from your experience of the budget proceedings that, with a balance of 1½ lakhs, it was absolutely impossible for any one to spend much on new developments. We barely had enough money to pay our establishments. You know what was done. I took the very earliest opportunity of representing and of again representing our condition to the Government of India and received very cold comfort on three occasions. Eventually the finances of the Government of India became very prosperous and we were able to press our contention upon the Government of India in a more public manner than the Local Government is generally able to succeed in doing. The results were eminently satisfactory. We succeeded in obtaining, if not all that we wanted, at any rate a considerably better provincial contract from the Government of India. If you will look at the statement, you will see how the balance went on increasing after that date. In 1910 it was 28 lakhs, in 1910-11 it reached 70 lakhs, in 1912 103 lakhs, in 1912-13, 190 lakhs and at the end of this year after an unprecedented expenditure we hope to have 146 lakhs. This is a record, gentlemen, of which I think the Local Government and this Council may feel very proud, and a great deal of credit is due to my Hon'ble friend the Finance Member, and some to myself for having been wise enough to create a regular Finance Department and to place so competent a gentleman in charge of it. But the whole of that budget balance is not available for current expenditure. A very large portion (something like 35 lakhs) consists of special advances by the Government of India, most of which are made for special purposes and can only be used for those purposes. But, even leaving out that 35 lakhs, we have a very substantial sum to lay up against bad times to come. So I think the Local Government with such ample provision against a rainy day may now well launch out in future on those great schemes of sanitation, education and general improvement of which this Province stands so urgently in need. For my own part, in addition to having made better arrangements for the financial administration of the revenues of the Province, I can claim to have collected out of this amount which stands to our credit, a sum of 120 lakhs, that is practically the whole of the balance, after leaving out the Government of India contributions. The way that was done was, that much against the grain, I had to harden my heart and to realize a very considerable proportion of the arrears which were outstanding when I took over charge and which otherwise would have been remitted. About 50 lakhs were collected as land revenue in that way. Then 140 lakhs we have collected as the proceeds of the purchase by colonists and others of proprietary rights in their land in the Province. I was to a great extent responsible for that policy, and I am glad to think that it has realized 70 lakhs of rupees for the Punjab Government for expenditure on great schemes of material improvement. Now Mr. MANT has explained to the Hon'ble Rai Bahadur SHADI LAL why it is that our balances cannot be spent in a great hurry, and why it is that we cannot invest those balances. I can assure the Hon'ble Member that, from the moment that the balances began to grow large, we have been seeking suitable schemes, both for investment and expenditure. You have heard from Mr. MANT that the Government of India declined to accept our proposal that we should be allowed to pay off the balance of the local loan account (I think it is 68 lakhs of rupees), in order that we might reduce this sum, which is lying at present idle and which is a sore temptation to the Government and to Hon'ble Members alike, and thus bring us in an

[*The President.*]

extra revenue of 4½ lakhs a year; but the Government of India claim to have a prescriptive right to lend us our own balances at 3½ per cent. interest. It may be quite correct, and it may be good finance; I can only say it is rather an astonishing proposition and it makes the task of the Local Government very difficult in dealing with these balances. However, the financial genius of my Financial Secretary is still dealing with the question. I am not at liberty to say exactly what fresh proposals we have made to the Government of India, but we have made such proposals and we hope, if they will not allow us to reduce our loan account, that they will allow us to reduce other debts which are at present weighing very heavily upon our finances, and I hope something may come of it.

"As regards spending this money, I have thrown out already a suggestion that no better use could be found for it than to invest some of it in the small irrigation works, such as the Namal dam, of which I recently gave an account at Mianwali, and other works of this description. They are too small for the Imperial Government, but they are schemes which the Provincial Government might very well take up. If this new dam proves to be a success, I do not think you will have very much difficulty in disposing of about 6 or 7 lakhs a year out of your balances upon these small irrigation works, which will be of the greatest possible benefit to the Province.

"Then there is another question—railways. Several gentlemen referred to railways, especially my Hon'ble friend Nawab BAHRAM KHAN, who again has drawn our attention to the distressful condition of Dehra Ghazi Khan. This time I am glad to say it is not because of the river Indus, nor is it because of the inadequate water-supply. I am happy to say that at any rate I have succeeded in removing that reproach. It is because there is no railway connecting Dehra Ghazi Khan with the rest of the world. This is of course most regrettable, but there are several other cities in the same case. Hon'ble Members will find on the table a very valuable and most interesting account which the Hon'ble Sir HENRY BURT has compiled* and which I very much regret he is not here personally to read to you to-day. The record of the North-Western Railway under his agency has again been marvellously successful, and he mentions there a number of things which he has done to meet the difficulties and the wishes of the public and the requirements of this Province. You will find that he is still working away at the problem of refreshments on running trains for Indian passengers, improved traffic services to Delhi, and the construction of a good many branch lines in the Province which they are investigating and some of which are actually under construction. It has been my pleasant duty from time to time to bring the wants of the public prominently to his notice, and I am glad to have this opportunity of acknowledging the great courtesy with which the management of the North-Western Railway have always met our suggestions, and the care they have taken to carry out surveys and other measures which would justify the construction of a railway. There are one or two very desirable lines, like this one to Dehra Ghazi Khan; thus there is the line which is at present under survey from Pakpattan to Dipalpur, Hujra, Chunian, Changa Manga, Balloki and Nankana, possibly with an extension to Lyallpur. It will be a very valuable line, especially the first part of it, and it will save an immense amount of expenditure, amounting to lakhs of rupees, on metalled roads which bring in no income. I have brought this very prominently to the notice of the Deputy Commissioners of Gujranwala, Lahore and Montgomery in the hope that they will work the matter up and try to induce local capitalists to embark in the venture. In Madras district boards are very enterprising, as we might expect in that advanced Presidency, and they guarantee the interest of such light railways. I really

* *See* Appendix C.

[*The President.*]

know no reason at all why some of our district boards, especially the district boards of these three great districts, enormously wealthy from the results of land irrigation, should not do something of the same kind in order to give local capitalists and local capital a chance. I also think some means might perhaps be found of inducing the Government of India to allow us, if necessary, to add a guarantee to that of the local boards based upon our balances as long as we have these large sums at our credit. They could not possibly involve us in very serious loss and it might lead to a new departure in the matter of branch railway construction in this Province, which is so very much needed. As you know, we have repeatedly made attempts to have lines constructed by Punjab companies. I am sorry to say that, with the exception of one small line at Jagadhri (and the local promoters deserve great credit for their enterprise, and they are doing very well I am glad to say) no line has been constructed by purely local capital. The proposals of Mr. Harkishen Lal and others to construct the Jullundur-Doab Railways, and the proposals of Lala Rocha Ram to make the Madra-Chakwal line fell through, though the lines have been taken up or are being taken up by outside agencies or Government. It does seem rather curious that, notwithstanding the enormous amount of gold that is pouring into this Province (between two and three millions of sovereigns alone a year) some of this money cannot be diverted to investment in railway construction, an absolutely sound form of investment and one which does much good to the country as well as to the investors. At any rate as far as the present conditions of the Punjab go, it is an absolutely safe form of investment. I think I am correct in saying that, leaving out the frontier lines and possibly some lines just constructed, there is practically not a railway line in the Punjab at the present moment which pays less than 8 per cent., notwithstanding the fact that of recent years a very large proportion of the cost of renewal and improvement has been met out of revenue instead of out of capital. If even 8 per cent. is not sufficient to induce the Punjab capitalists to embark upon so sound an enterprise, I can only say that either the profits they must make are enormous, or that their enterprise is exceedingly small.

"Speaking on the subject of railways naturally leads one to the cognate subject of Commerce and Industry. I am very much obliged to the Hon'ble Mr. CURRIE for the kind remarks he has made about the interest I have always taken in the promotion of Commerce and Industry. It is a matter which I steadily set before myself from the day I took over the Province. It is a very difficult matter in which to make any visible progress. Unfortunately too, the warmth of feelings of the Punjabees, which at times evinces itself in so pleasurable a form, at other times leads them to indulge perhaps in too vigorous recriminations in matters of public enterprise, and I cannot help thinking that if share-holders took more trouble to look steadily after the management of companies, they would really do more good to the country and to themselves, than by indulging in sporadic outbursts of violent abuse of everybody and everything connected with the management of those companies. It is of course very demoralising to the public and it is not encouraging to them to come forward as investors when they find that everybody who has anything to do with companies comes in for a great deal of abuse. There is no use in washing dirty linen in public, and in the matter of companies there is nothing so disastrous as to wash your dirty linen in public until it is absolutely necessary. You have heard what we have done to try to encourage industries. I think that good results will follow from the Industrial Conference, though one of the main results of that Conference was to show how extraordinarily difficult it is for Government to do anything to help on an industrial revival. I hope, however, that we shall be able to do something to help in formulating schemes which we are actually engaged in considering at the present moment. Industrial educa-

[*The President.*]

tion may prove useful and greater facilities may be afforded to persons who wish to start industries of carrying out their wishes.

"You have heard also my aspirations in the matter of white coal. I spoke of it at length the other day. I am glad to think that I have done something to protect our local supply of black coal. The North-Western Railway, as you know, had mines at Dhandot which were no longer of use to them. I helped in securing the lease of those mines for one of our Punjabee leaders of industry and I am very glad indeed to hear that he is doing exceedingly well, and that his coal is finding a free sale and is going down as far as Cawnpore. So that my idea that Punjab coal is not entirely useless seems to have been fairly well borne out. I am pleased to think that I was able to help another Punjabee industrialist who had the lease of the Makarwal coal mines in Mianwali and who was involved in considerable difficulties owing to the want of railway communication and impossibilities of carriage. I have given him extension after extension of his license, and at last he has succeeded in obtaining the most satisfactory aid from capital which I hope will place that colliery also in a satisfactory position. So that the only collieries that we know to exist in the Punjab are now being efficiently worked, or at any rate will very shortly be efficiently worked; and this will do a great deal to make us free of Bengal. Bengal coal is much better, but we are liable there to have our supply blocked by strikes or coal rings, or a rise in railway rates or inadequacy of wagon supply, all of which things occur very frequently and are very troublesome. I am a very obstinate person, and I do not like to give up anything until it is proved to be impossible. You know that for years a certain amount of oil has been worked at Rawalpindi, in the Attock district and Mianwali. Well, it was held that this field was not likely to yield a good supply of oil. I was not myself entirely convinced that the arguments on which this opinion had been framed, were entirely sound. I could not very well embark Government money in such an enterprise, but I did the next best thing; I got other people to spend their money on it. We have had an expert out here, and though of course commercial men do not give their secrets away, I have every reason to believe that the opinion of that expert is probably favourable towards the existence of oil in considerable quantities in the North-West. What that may mean to the Punjab I am sure all of you gentlemen will understand when you know that the prosperity of Burma depends largely on two things,—its oil and its forests. If we cannot succeed in getting cheap power from white coal and black coal and oil and so making our industries a great success, and thereby affording what I consider a most essential condition of real progress in the Punjab, good openings for our educated young men, all I can say is that I shall have a poorer opinion of the Punjab than I certainly have at present.

"Now I turn to some general matters which have been raised to-day. The Hon'ble Mr. MUHAMMAD SHAFI asked a very searching question about the conditions of the judicial service. I quite recognise that the conditions of salary of no service can be satisfactorily fixed in a country like this where prices and wages and the cost of living are rising so rapidly every day, but we do what we can. You heard how impecunious we were at the beginning of my term of office; but notwithstanding that, in 1908-09, that is to say the year of our greatest adversity, we took up the question of improving the conditions of the judicial provincial service and we effected very substantial improvement in that service. Similarly, we took up first the conditions of the subordinate judicial service before we touched the executive services at all. Subsequently it is perfectly true that we did improve the conditions of the executive branches, but the judicial service came first. I do not regard those improvements as in any way final. They were made at a time when our finances were at their very lowest possible ebb, and we could not do as much as we wished. But it

[*The President.*]

was better to have half a loaf than no bread, and, although I am glad to see that Hon'ble Members have a very proper regard for economy, especially in recurrent expenditure and salaries, I feel sure that, as from time to time it may be necessary, in order to provide a living wage for those officers who do so much of our work and do it so well, the Local Government will not be backward in taking up and considering schemes for further improvements in the judicial and executive, provincial and subordinate services. I have every reason to hope that the scheme for the revision of the superior judicial service will shortly be accepted, and that will be a most material improvement in the condition of officers of the judicial branch, and should conduce also to the efficient administration of justice.

"There was a proposal in one question to-day that two additional Divisional Judges should be permanently added to the Punjab so that the arrears of work as they occurred might be wiped out. About that I should only like to say that it was only three years ago that we made a very large addition to the permanent staff of the Divisional Judges with this very object; and, though of course, work will increase, it seems a little soon, especially when this other scheme for the reorganisation of the service is pending, to take measures to add further temporary assistance for the Divisional Judges. Our Judges are most conscientious officers, but if an officer knows that he has only to do his regular tale of work and that when cases pile up and are adjourned an additional Judge will come and wipe them out, I am afraid that such arrears may be frequent. I am rather disposed to think it is better to let an officer understand that he must do, as we have always done in the Punjab, not what he is pleased to regard as a proper tale of work, but as much work as he possibly can do within the limits of his constitution and the time at his disposal. The probability is that if he does that, there will be no arrears.

"The Hon'ble Mr. HARI CHAND has thanked me for grants to Multan, Rawalpindi and Sialkot. I may say I had very great pleasure in making those grants for valuable schemes of urban sanitation. He has mentioned the case of the Multan hospital. I am also very happy to be able to say that the matter has already engaged the consideration of the Government and a scheme is being prepared for an entirely new hospital on a suitable site, I think in the old fort, which I think will meet the requirements of the people. The present hospital will be added to the Zenana hospital which adjoins it.

"Malik MUHAMMAD AMIN and Sardar GAJJAN SINGH have pointed out the harassment entailed by our settlement system and the desirability of long term settlements, and I think the reply my Hon'ble friend Mr. DIACK has given has satisfied you that the Punjab Government has not been forgetful in this matter. We quite admit the harassment; we have done all in our power to reduce it; we quite admit the difficulties attending short-term settlements and wherever possible we give long settlements At the same time we have to consider posterity to some extent, and we have no right whatever, because we happen to be prosperous at the moment, to tie the hands of our successors. Other demands may come upon them which they may be entirely unable to meet unless they have the power of revising the share due to the Government from the produce of the land in the hands of the people. That is what our land revenue is. It is not a tax, but it is actually a Crown rent. I was particularly interested in one of the remarks of the Hon'ble Malik MUHAMMAD AMIN and I think Sardar GAJJAN SINGH said something to the same effect. He asked what is the use of conducting all these enquiries? Where there has been no radical change in agricultural conditions, why should you not come to a simple agreement between Government and the people and have no settlement at all? Well

[*The President.*]

gentlemen that is one of my pet fads. I know in several districts the people would have been only too ready to accept some such arrangement, but I am sorry to say there were difficulties and reasons why it could not be introduced in those districts. One of the difficulties was that one of the districts had been settled by myself and it would have looked as though I had been trying to prevent my own work from coming under review. And there are also other reasons why it should not be done; but I still think that, where they have been no great agricultural revolutions such as the provision of a new canal, there is no real reason why in this country the Crown rent or revenue should not be fixed by a simple form of rough agreement between Government and the people as it is in other countries and in India itself between proprietor and tenants. We are supposed to take half net assets; as a matter of fact in the Punjab we are not taking more than a quarter of net assets anywhere; that is to say, we are taking 50 per cent. only of the demand to which we are theoretically entitled. That being the case, it ought not to be very difficult for a tactful Government Officer to settle with the people what they would pay for the next 30 years without going through all this revision of maps and records, which again according to our system we ought to have done during the currency of the settlement. However I am afraid I stand rather alone at present in that opinion; but I live in the hope that, as in a good many other cases, what I think to-day, other people will think 5 years hence.

"The Hon'ble Malik MUHAMMAD AMIN and others have referred to the question of rural sanitation. The Hon'ble Mr. KASHI RAM has been very urgent on the point. We dealt rather fully with that at the last meeting. The promise that I then made I am carrying out. I am drawing the attention of the district boards to the necessity for moving in the matter of rural sanitation more actively than they have in the past. We have also been given very large sums for sanitation, and I have therefore arranged for the summoning in July of a Sanitary Conference, including a large number of non-official gentlemen who are interested in sanitation, with the object of deciding, with special reference to the resolutions passed at the great Sanitary Conference at Madras, what is the best way of carrying out those principles on which all are agreed as essential to a good system of either urban or rural sanitation. As regards the appointment of an Extra Assistant Commissioner or district sub-committees, of course the necessity for this varies in accordance with the personal idiosyncrasy of the Hon'ble Member. I have already mentioned that we have a large number (I think it is something like 40) Assistant Surgeons and Sub-Assistant Surgeons employed nominally on plague duty, but really now engaged in sanitary work. We are paying them as for special plague duty, as under the rules we should have considerable difficulty in keeping them as a permanent staff for sanitary purposes; but these men actually are doing exactly what the Hon'ble Malik AMIN and the Hon'ble Mr. KASHI RAM desire. I do not know whether there is a plague officer in Attock, as that district has been free from plague recently and there may not be one there. I think that in any case we should be better advised to employ medical officers, Assistant Surgeons and Sub-Assistant Surgeons, as our sanitary delegates than by putting on executive officers, however competent, or definite sub-committees. What you have got to do is to gain the confidence of the people. The man who gains the confidence of the people is the one who can cure their diseases. That is what our plague staff are doing at present. I am glad to say I read a paper the other day in which I saw that they have gained the confidence of the people so much that in one quarter of this year they were able to do as much in the way of medical relief as they had done in the whole of the previous year. That I think is a great record. Gentlemen, I am very glad to have an opportunity of bringing the services of these officers to your notice.

[*The President.*]

"Plague has also been mentioned by Sardar GAJJAN SINGH and others. Of course plague is really a most terrible calamity, and I cannot be too grateful that Almighty God has been pleased, during my term of office, not only to give us good harvests, but, with the exception of one year 1908, to moderate the rigours of the attacks of malaria and plague. We have been very free from a bad attack of plague now for a long time, and the season this year is so far advanced that I hope we may be spared again this year. I am glad to think that the future is more hopeful because the people have realised, especially in the villages, that the only real remedies we have against plague at present are evacuation and inoculation. Wherever evacuation and inoculation are resorted to, the attack of plague, as is shown by actual experience, has always died out or assumed a mild character. To these measures we have added, thanks again to the energy of Sardar DIAL SINGH and others, a system of smoking out rats which has been found by practically over three years' experiment to be most successful. For the first time I think for 12 years Sargodha, which was a regular focus of plague for the whole North-West of the Province, has up to date been free of plague this year, and my expert officers assure me that that result is practically entirely due to the two occasions on which we thoroughly smoked out the rats in the whole of the town. In Sultanpur and in Gurdaspur too, which is also a bad centre, similar measures were adopted except in two mohallas, and no plague has occurred except in those two mohallas. These are two very prominent instances. There is nothing in the process of smoking out rats to which anybody can possibly take any objection, and not only is it effective for clearing houses of rats, but it is very useful for ridding the fields of the pest of field rats. I am glad to have an opportunity of acknowledging here the good work that Sardar Dial Singh has done in this matter and the energy with which our plague establishment have taken up his suggestions. I see in this the possibility of enabling us to free towns of plague in the same way that we can free villages by evacuation which is not always possible in towns.

"The Hon'ble Rai Bahadur RAM SARAN DAS has expressed a hope that we shall not be too commercial in our dealings with the canals. I quite recognise that his position must be a very difficult one, for, as a leading commercial man, if he owned a canal he, like the Government of India, would wish to run it on commercial lines. But at the same time I can assure him that he need not be under any apprehension. Governments are always very tender of the interests of the people committed to their charge. I have just told you that Government is at the present moment only taking half of what the theoretical amount of the land revenue is supposed to be, and I am quite confident that, though in the matter of canals we have to be a little more strict because canals are made at the expense of the general taxpayer, in practical politics we shall not demand the uttermost farthing of what we can exact on a commercial basis, but, as in the past, we will be content with such reasonable rates as the people are ready to pay to get water.

"The question of medical relief for women has been mentioned. I am very glad indeed to see that the Hon'ble Malik takes so much interest in what I think is a most important matter. We are doing a great deal already and we hope to do more. We are spending about Rs. 50,000 a year on the Northern India Medical College for Women at Ludhiana in order to increase the supply of lady doctors, and what is even more important, we hope to give an additional grant to increase the supply of trained *dhais*. There is no doubt that the greatest possible harm is done by the practice of untrained *dhais* and good and trained *dhais* are an agency that ought to be multiplied as rapidly as funds are available.

"Several Hon'ble Members, and especially Mr. SOHAN LAL, referred to excise matters. Well I had an opportunity of speaking on the subject of

[*The President.*]

temperance at Amritsar the other day, and also again to-day I have made a few remarks on the introduction of the Excise Bill, so I do not think I need say anything more. What has been done in Kangra has been done in other districts in the matter of prohibiting the sale of liquor at fairs and I quite agree with the Hon'ble Member that this practice of selling liquor at fairs is not one for the Government to encourage, but rather one which, if possible, should not be allowed.

" The Hon'ble Mr. SHADI LAL made some remarks about the Finance Committee and most of his remarks have been answered by the Finance Member. He wanted to know whether it was not open to members of the Finance Committee to make suggestions for the increase of revenue and the decrease of expenditure, or for scheme of improvement. I can only assure the Hon'ble Member that it is open to him or any other member of this Council—I might go further and say to any gentleman of intelligence throughout the Punjab—to make such suggestions, and they will be only too readily welcomed not only by the local officers, but by the Government itself and if it is open to all members to make such suggestions, it is evident that any suggestion coming from members who are so well placed for the study of the budget as members of the Finance Committee will be welcomed most heartily.

" He (Hon'ble Mr. SHADI LAL) has also thanked me for such assistance as I gave to the University. I can only say that it has been a source of great pleasure to me to work with the University, and the cordial relations existing between the University and the Local Government I believe are not only very much appreciated here but envied elsewhere. I was very glad to be able to help in acquiring the properties, to which he refers, for the new Law and Oriental Colleges, and in regard to this particular house which has now fallen between the Law and Oriental Colleges and the other University buildings, I hope that it will be possible for us to make that over to the University. I think it is at present occupied by a Police Officer and I have no doubt that we ought to be able to find some other suitable place of residence for that officer. I will start an enquiry on the subject and an enquiry once started is often carried through, though I cannot bind my successor. I have been only too ready to assist our local colleges, especially our private colleges, and I am very anxious to meet their wishes in the matter of the acquisition of land, though it is very difficult to acquire land, as the Hon'ble Member knows, for colleges under the Land Acquisition Act. We may be able to do something under the town-planning legislation which is contemplated, but that is a long way off. In the meantime there are plots about which we are negotiating. The question really is, what is a reasonable price, and I hope we shall be able to arrive at some satisfactory conclusion on that point.

" The Hon'ble Mr. KASHI RAM has referred to a separate department of hygiene for district boards and municipalities, and also to look after the health of boys at school. We have already taken action as regards the latter matter and I hope that the Hon'ble Member in charge of the Education Department will soon be able to secure the services of a thoroughly competent expert to look after this very important question of the health of boys at school. He will act as an expert adviser to the department and as a sort of inspector to see that schools and colleges are thoroughly up to the mark in this respect and that the local medical men do their duty properly. I do not think we require a separate department of hygiene for district boards. We have our Sanitary Commissioner, who is an expert in hygiene and cannot be appointed unless he is. We have sent up a scheme for a very large increase in the number of the health officers to be employed, and I think, to appoint an expert with a department of hygiene would be rather like carrying coals to Newcastle, because I do not see what they would do beyond what the Sanitary Department is already supposed to do and considering the former paucity of officers does very well.

[*The President.*]

"There was one other matter that Mr. MANT forgot, I think, to mention and that is the question suggested by Sardar GAJJAN SINGH of devoting the proceeds of the chaukidar cess to rural sanitation. In addition to what Mr. MANT has said, I would add that I could not quite understand why it was that we only received 2 lakhs as a dole from the Imperial Government, while an adjacent Province received 29 lakhs and other provinces received 25 lakhs. Looking at the practical results it rather appeared that, they were taking a larger share from the local rates in those Provinces than in the Punjab or that other objects of expenditure were met there from the local rates. I therefore asked Mr. MANT to make inquiries. As far as we can make out at present, the reason seems to be that the other provinces got compensation for the cost of rural police which were paid out of local rates or similar cesses, while our rural police, that is to say chaukidars, are paid, as you know, partly by a cess and partly in grain and consequently they did not come into the calculation. The same idea occurred to us as has occurred to the Hon'ble Member, and that is that we might perhaps be able to devote the proceeds of this chaukidari cess to rural sanitation and then get the Government of India to give us, as they have done to the other provinces, a dole to meet the cost of rural police. It is a difficult subject. The matter is being enquired into, and I can assure you that we shall lose no opportunity of securing as full a share as we can to meet the charge from the Supreme Government.

"Now gentlemen, I do not think I need take up any more of your time I have had opportunities of speaking, I am afraid at undue length, recently upon all possible subjects connected with my administration and on those occasions many of you gentlemen have been present and others have seen the reports in the press. It would have been mere reiteration and tiresome reiteration to review these matters again here, so I have preferred to confine myself to the practical work of answering so far as I could questions raised in the Budget. But before I leave you, I thank you all for the very valuable assistance you have given me in conducting the administration of this Province, and I can assure you that, from the time the Legislative Council was first formed in the Punjab—I was present at the first meeting of the Council in 1898—I have always found the Council to be of the greatest possible use to the Government and I venture to think that our present extended Council, in which election has been given fuller play, will be certainly not less useful than its predecessors. On the contrary it should be a better means of informing public opinion on the nature of the measures Government contemplate and of bringing to the notice of the Government the requirements of the people. That is the duty, I think, that the Legislative Council was primarily intended to carry out and it has done that duty well. In addition to this we expect to derive from you much assistance in the administration of our finances and great support in case it should ever unhappily become necessary to represent to higher authority any matter adversely affecting the condition of finances at any future day."

ADJOURNMENT.

His Honour the PRESIDENT :—"The Council is adjourned *sine die*. I will ascertain the wishes of my very distinguished successor Mr. O'DWYER, who, like myself, is a Punjabee and spent most of his services as a Revenue Officer and Settlement Officer, and I am sure will take as keen an interest in the well-being of the agricultural classes of the Province as I have done, and if he would like to have an early opportunity of meeting his Legislative Council, the date of the next meeting of the Council will be fixed and communicated to you in due course."

LAHORE :
 The 18th April 1913.

S. W. GRACEY,
 Secretary, Legislative Council.

Appendix A.

MEMO.

As the Budget for 1913-14 (hereto annexed) makes no change in the figures of the Revised Financial Statement, presented to the Council on the 13th March 1913, and as no resolution recommending any such change was passed, a meeting of the Council will not be held for the presentation of the Budget, and the general discussion of the Budget in Council will take place at the meeting to be held on the 18th instant (*vide* rule 29 of the Rules for the discussion of the Annual Financial Statement in the Legislative Council of the Lieutenaut-Governor of the Puniab, as amended by the Punjab Government notification No. 536, dated 8th March 1911).

R. A. MANT,

Financial Secretary to Government, Punjab.

The 1*st April* 1913.

STATEMENT SHOWING BY MAJOR HEADS OF ACCOUNT THE ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 1913-14 AS FINALLY ADOPTED BY THE GOVERNMENT OF INDIA ON THE 20TH MARCH 1913.

Budget heads.	Budget estimate, 1912 13.
	Rs.
Opening balance	1,90,09,000
Provincial Revenue and Receipts.	
I—Land Revenue — Proper ...	1,36,31,000
I—Land Revenue — Assignments ...	29,42,000
IV—Stamps	27,50,000
V—Excise	34,75,000
VI—Provincial Rates	30,000
VIII—Assessed Taxes — Civil ... / Public Works...	8,11,000
IX—Forest	13,29,000
X—Registration	3,25,000
XII—Interest	2,34,000
XVI-A—Law and Justice—Courts of Law	4,63,000
XVI-B—Law and Justice—Jails ...	3,10,000
XVII—Police	1,77,000
XIX—Education	4,64,000
XX—Medical	54,000
XXI—Scientific and other Minor Departments.	1,99,000
XXII—Receipts in aid of Superannuation	84,000
XXIII—Stationery and Printing ...	1,34,000
XXV—Miscellaneous	3,87,000
XXIX—Irrigation—Major Works. — Direct receipts—Civil ...	35,000
XXIX—Irrigation—Major Works. — Public Works...	1,22,00,000
XXIX—Irrigation—Major Works. — Indirect Receipts—Portion of Land Revenue due to Irrigation.	40,00,000
XXX—Irrigation—Minor Woirks and Navigation. — Civil ...	16,000
XXX—Irrigation—Minor Woirks and Navigation. — Public Works...	50,000
XXXI—Civil Works ... — Civil ...	3,78,000
XXXI—Civil Works ... — Public Works...	1,60,000
Total Provincial Revenue and Receipts ...	4,46,38,000
GRAND TOTAL, INCLUDING OPENING BALANCE.	6,36,47,000

Budget heads.	Budget estimate 1912-13.
	Rs.
Provincial Expenditure.	
1—Refunds and Drawbacks ...	83,000
2—Assignments and Compensations ...	35,000
3—Land Revenue	47,88,000
6—Stamps	89,000
7—Excise	96,000
10—Assessed Taxes	5,000
11—Forest	10,25,000
12—Registration	1,18,000
13—Interest on Ordinary Debt ...	1,91,000
18—General Administration ...	11,58,000
19-A—Law and Justice—Courts of Law	41,86,000
19-B—Law and Justice—Jails ...	12,03,000
20—Police	60,18,000
22—Education	44,83,000
24—Medical	28,68,000
26—Scientific and other Minor Departments.	13,89,000
29—Superannutaion Allowances and Pensions.	19,26,000
30—Stationery and Printing ...	7,02,000
32—Miscellaneous	5,19,000
36—Reduction or Avoidance of Debt ...	1,40,000
42—Irrigation—Major Works. — Working Expenses— Civil ...	1,000
42—Irrigation—Major Works. — Public Works ...	40,00,000
42—Irrigation—Major Works. — Interest on Debt ...	34,46,000
43—Minor Works and Navigation. — Civil	45,000
43—Minor Works and Navigation. — Public Works ...	1,50,000
45—Civil Works ... — Civil	10,64,000
45—Civil Works ... — Public Works ...	92,97,000
Total Expenditure ...	4,90,25,000
Closing balance	1,46,22,000
GRAND TOTAL ...	6,36,47,000

Appendix B.

In the following memorandum a comparison is made between the Provincial income and expenditure of the year 1907-08 (as Sir Louis Dane found when he entered office on the 25th May 1908) and the budget estimates of 1913-14 :—

	Income.	*Expenditure.*	*Balance.*
	Rs.	Rs.	Rs.
Accounts, 1907-08 ...	3,09,21,000	3,33,30,000	29,98,000
Budget, 1913-14 ...	4,46,38,000	4,90,25,000	1,46,22,000
Increase ...	1,37,17,000	1,56,95,000	1,16,24,000

The above increases are briefly explained in the accompanying memoranda A & B.

2. The *quasi*-permanent provincial settlement made with the Punjab from 1st April 1905 was practically modified at the request of His Honour with effect from 1st April 1911, and the net gain or loss resulting therefrom is exhibited in the table below.

HEADS.	Provincial share prior to 1st April 1911.	Provincial revised share.	Increase *
	Rs.	Rs.	Rs.
INCOME.			
I—Land Revenue ...	1,02,23,000	1,36,31,000	34,08,000
II—Forest ...	6,64,000	13,29,000	6,65,000
VIII—Assessed taxes (P. W. D.) ...	...	29,000	†29,000
XXIX—Irrigation—Major Works—			
Civil officers—Owners' rate ...	27,000	35,000	8,000
Public Works officers—			
Direct receipts ...	91,50,000	1,22,00,000	30,50,000
Indirect receipts ...	30,00,000	40,00,000	10,00,000
XXX—Minor Works—			
Civil officers ...	16,000	16,000	...
Public Works officers ...	50,000	50,000	...
Total ...	2,31,30,000	3,12,90,000	81,60,000
EXPENDITURE.			
1—Refunds—			
Land Revenue ...	18,000	25,000	7,000
Stamps ...	42,500	42,500	...
Excise ...	6,000	6,000	...
Assessed taxes ...	5,000	5,000	...
Forests ...	1,700	3,400	1,700
Provincial rates ...	100	100	...
Registration ...	1,500	1,500	...
Total ...	74,800	83,500	8,700
2—Assignments—			
Life pensions ...	500	500	...
Pensions in lieu of resumed lands ...	22,300	29,700	7,400
Excise compensations ...	4,300	4,300	...
Total ...	27,100	34,500	7,400
11—Forest ...	5,12,000	10,25,000	5,13,000
42—Irrigation—			
(1) Working expenses ...	30,00,000	40,00,000	10,00,000
(2) Interest on debt ...	25,04,000	34,46,000	9,42,000
43—Minor Works—			
Civil officers ...	45,000	45,000	...
Public Works officers ...	1,50,000	1,50,000	...
Total ...	63,12,900	87,84,000	24,71,1[illegible]
Net increase ...	1,68,17,100	2,25,06,000	56,88,900
Fixed assignments surrendered to the Government of India ...	...	...	46,58,000
Net gain to Provincial ...	...	...	10,30,000

* Calculations made on the budget estimates, 1913-14.

† Half the income tax assessed on the salaries of Public Works officers, as estimated for 1911-12.

A

INCOME.

I—LAND REVENUE.

(a) Fixed collections and other items excluding land revenue due to Irrigation—

				Rs.
Accounts, 1907-08	...	...	...	2,24,55,000
Budget, 1913-14	...	...	...	2,72,62,000
		Increase	...	48,07,000

(b) Provincial share excluding Imperial assignments—

				Rs.
Accounts, 1907-08	...	...	...	84,20,000
Budget, 1913-14	...	...	...	1,36,31 000
		Increase	...	52,11,000

(c) Imperial assignments to Provincial—

				Rs.
Accounts, 1907-08	...	...	...	57,44,000
Budget, 1913-14	...	...	...	29 2,000
		Decrease	...	28,02,000

The increase under (a) is due to—

(1) Smaller suspensions in 1913-14 than 1907-08—

		Rs.
Balance of land revenue on 31st March 1908	...	42,56,000
Balance of land revenue on 31st March 1914	...	21,000

(2) Enhanced assessments under ordinary revenue (including land revenue due to Irrigation)—

				Rs.
Accounts, 1907-08	...	...	...	2,31,66,000
Budget, 1913-14	...	...	...	3,16,31,000
		Increase	...	84,65,000

(3) Sale of Government estates—

				Rs.
Accounts, 1907-08	...	...	...	24,000
Budget, 1913-14	...	...	...	25,42,000
		Increase	...	26,18,000

The increase under (b) is due to higher receipts as above stated and to the raising of the Provincial share from ⅜ths to half since April 1911.

The decrease under (c) is accounted for by the conversion (with effect from April 1911) of fixed Imperial assignments aggregating Rs. 46,58,000 into a share of growing revenue partly counterbalanced by certain fresh assignments.

IV—STAMPS.

				Rs.
Accounts, 1907-08	...	...	...	42,79,000
Budget, 1913-14	...	...	...	55,00,000
		Increase	...	12,21,000

Due to (1) commercial and material prosperity of the province, (2) increased litigation, (3) increase in the value of immoveable property.

V—EXCISE.

		Rs.
Accounts, 1907-08	... ...	... 42,15,000
Budget, 1913-14	... ...	... 69,50,000
	Increase	... 27,35,000

The improvement is due to—

(*a*) high still-head duty on country spirits and high vend fees for the same;
(*b*) check of illicit distillation;
(*c*) improved excise system;
(*d*) keen competition for sale licenses.

VIII—ASSESSED TAXES.

		Rs.
Accounts, 1907-08	... ...	... 14,25,000
Budget, 1913-14	... ...	... 16,22,000
	Increase	... 1,97,000

Of this increase Rs. 58,000 is due to the transfer, with effect from 1911-12, of income-tax deducted from the salaries of Public Works officers from the Public Works Department to civil accounts and the remainder to the export trade from canal colonies and flotation of joint stock and other companies consequent on commercial prosperity.

IX—FOREST.

		Rs.
Accounts, 1907-08	... ...	... 14,57,000
Budget, 1913-14	... ...	... 13,29,000
	Decrease	... 1,28,000

The drop in the forest income is due mainly to the system of selling standing trees instead of being converted into timber. There is a saving of Rs. 1,52,000 on the expenditure side. The surplus income has been—

Year.	*Income.*	*Expenditure.*	*Surplus.*
	Rs.	Rs.	Rs.
1907-08 ...	... 14,57,000	11,77,000	2,80,000
1908-09 ...	... 12,89,000	8,52,000	4,37,000
1909-10 ...	... 10,33,000	6,68,000	3,65,000
1910-11 ...	... 12,17,000	7,40,000	4,77,000
1911-12 ...	... 13,10,000	7,65,000	5,45,000
1912-13 (Revised)	... 12,50,000	8,22,000	4,28,000
1913-14 (Budget)	... 13,29,000	10,25,000	3,04,000

The Provincial share of the forest income and expenditure was raised, with effect from April 1911 from half to the whole.

X—REGISTRATION.

		Rs.
Accounts, 1907-08	... ...	... 2,77,000
Budget, 1913-14	... ...	... 3,25,000
	Increase	... 48,000

Represents normal growth in registration business.

XII—INTEREST.

		Provincial share only.
		Rs.
Accounts, 1907-08	... ...	... 2,85,000
Budget, 1913-14	... ...	... 2,34,000
	Decrease	... 51,000

The decrease is due to the transfer to Imperial of the interest due on loans to the Delhi municipality, land-holders and agriculturists residing within the Delhi enclave, now separated from the Punjab.

XVI-A—LAW AND JUSTICE—COURTS.

				Rs.
Accounts, 1907-08	...	...	...	3,35,000
Budget, 1913-14	...	...	...	4,63,000
		Increase	...	1,28,000

Of this one lakh appears under magisterial fines, for which no special reason has been assigned in Accountant-General's appropriation report for 1910-11, and the rest is due to the transfer in 1908-09 to this head of Record Office fees of judicial records (Rs. 28,000).

XVI-B—LAW AND JUSTICE—JAILS.

				Rs.
Accounts, 1907-08...	...	...	...	1,83,000
Budget, 1913-14 ...	...	...	...	3,10,000
		Increase	...	1,27,000

The improvement appears wholly under jail manufactures, resulting from the Punjab Government orders No. 818, dated 19th April 1909, which require all provincial offices to use none but jail-made articles.

XVII—POLICE.

				Rs.
Accounts, 1907-08...	...	...	...	5,56,000
Budget, 1913-14 ...	...	...	...	1,77,000
		Decrease	...	3,79,000

The decrease is due to the remission since 1911-12 of municipal contribution for police charges partly counterbalanced by the transfer to this head in 1908-09 of about Rs. 26,000 formerly adjusted under the head "contribution from Local to Provincial" on account of contributions recovered from district boards in respect of localized cattle-pounds.

XIX—EDUCATION.

				Rs.
Accounts, 1907-08...	...	...	...	2,95,000
Budget, 1913-14 ...	...	...	...	4,64,000
		Increase	...	1,69,000

The advance on the figures for 1907-08 is due mainly to (1) the larger attendance and the higher rate of tuition fees levied in the Government College and High Schools, (2) the provincialisation of the Lawrence Asylum at Murree, (3) fees from the Engineering School at Rasul, and (4) the inclusion of the contribution recovered from Aitchison College.

The heads XX—Medical, XXII—Superannuation Receipts, and XXIII—Stationery and Printing call for no remarks.

XXI—SCIENTIFIC AND OTHER MINOR DEPARTMENTS.

				Rs.
Accounts, 1907-08...	...	...	...	75,000
Budget, 1913-14 ...	...	...	...	1,99,000
		Increase	...	1,24,000

The increase is due to—

(a) Recoveries on account of localised cattle and horse fairs adjusted prior to 1st April 1908 through the "Contribution" head (Rs. 24,000).

(b) Receipts of the Agricultural Department (Rs. 13,000).

(c) Provincialisation of the Hissar Cattle Farm from April 1913 (Rs. 77,000).

(d) Miscellaneous items (1) Emigration Fees Rs. 3,000, and (2) Inoculation fees Rs. 1,000 and (3) Veterinary and Stallion receipts Rs. 4,000.

XXV—MISCELLANEOUS.

	Provincial.	Imperial.
	Rs.	Rs.
Accounts, 1907-08 ...	... 1,64,000	... 34,000
Budget, 1913-14 ...	... 3,87,000	... 46,000
Increase	... 2,23,000	... 12,000

The increase under "Provincial" is due to (1) the incorporation since 1908-09 of Copying Agency receipts and (2) larger unclaimed deposits.

XXIX—IRRIGATION—MAJOR WORKS.

(a) *In charge of Civil officers.*

	Rs.
Accounts, 1907-08...	... 12,20,000
Budget, 1913-14	... 70,000
Decrease	... 11,59,000

The decrease is accounted for by the abolition of owners' rate on the Western Jumna Canal and the Lower Chenab Canal. Provincial share was raised from three-eighths to half since April 1911.

(b) *In charge of Public Works officers—Direct receipts.*

	Rs.
Accounts, 1907-08...	... 1,67,17,000
Budget, 1913-14	... 2,44,00,000
Increase	... 76,83,000

The improvement is due to the extension of irrigation from the Lower Chenab, Lower Jhelum and Upper Bari Doab canals and the opening of the Upper Chenab Canal.

Provincial share has been raised since April 1911 from three-eighths to one half.

(c) *Indirect receipts.*

	Rs.
Accounts, 1907-08...	... 2[illegible],81,000
Budget, 1913-14	... 80,00,000
Increase	... 56,19,000

The increase is due to (1) the enhancement of land revenue in the colony villages on the Jhang and Gugera branches, and (2) receipts on account of interest on the sale-proceeds of waste lands.

Provincial share has been raised since April 1911 from three-eighths to one half.

XXXI—CIVIL WORKS.

(a) *In charge of Civil Works.*

	Rs.
Accounts, 1907-08...	... 2,34,000
Budget, 1913-14	... 3,78,000
Increase	.. 1,44,000

Of this increase, Rs. 1,30,000 is accounted for by the fact that contributions recovered from district boards for localized ferries, staging bungalows, &c., were prior to April 1908, adjusted through the head "Contribution from Local to Provincial" and the rest is due to sale-proceeds of sites, materials, &c., of Multan Fort.

(b) *In charge of Public Works officers.*

	Rs.
Accounts, 1907-08...	... 1,17,000
Budget, 1913-14	... 1,60,000
Increase	... 43,000

The increase is accounted for by the larger sales of materials of old buildings and other miscellaneous receipts.

B

EXPENDITURE.

3—LAND REVENUE.

				Rs.
Accounts, 1907-08	...	...	...	48,11,000
Budget, 1913-14	...	...	...	47,88,000
		Decrease	...	23,000

(a)—District Administration—

				Rs.
Accounts, 1907-08	...	...	...	21,29,000
Budget, 1913-14	...	...	...	23,28,000
		Increase	...	1,99,000

The increase is due to (1) the grant of travelling allowance to tahsil Jamadars and peons, (2) enhancement of 1st and 2nd class Railway fares, (3) improvement in the pay and prospects of Extra Assistant Commissioners in the executive line and (4) the raising of minimum pay of Tasildars to Rs. 175.

(b)—Survey and Settlement—

				Rs.
Accounts, 1907-08	...	...	...	10,77,000
Budget, 1913-14	...	...	...	8,60,000
		Decrease	...	2,17,000

The decrease is due to (1) the abolition of the office of the Settlement Commissioner, (2) employment of Junior Officers as Settlement Officers and Assistant Settlement Officers, (3) smaller field establishments, and demarcation and other charges in the Canal Colonies met from the acreage rate now transferred to the Irrigation budget.

(c)—Land Records—

				Rs.
Accounts, 1907-08	...	...	...	15,99,000
Budget, 1913-14	...	...	...	15,91,000
		Decrease	...	8,000

The decrease is due to the transfer of the cost of the office establishment of the Director of Agriculture to the head "26—Scientific, etc.".

7—EXCISE.

				Rs.
Accounts, 1907-08	...	...	...	70,000
Budget, 1913-14	...	...	...	1,92,000
		Increase	...	1,22,000

due to reorganization of the supervising staff; half is Provincial.

11—FOREST.

				Rs.
Accounts, 1907-08	...	...	...	11,77,000
Budget, 1913-14	...	...	...	10,25,000
		Decrease	...	1,52,000

The system of selling standing trees has reduced the expenditure formerly incurred by the Departmental Agency. The increase in the Provincial share is explained by the fact of the whole head becoming Provincial from April 1911.

18—GENERAL ADMINISTRATION.

Provincial.

				Rs.
Accounts, 1907-08	...	...	...	10,74,000
Budget, 1913-14	...	...	...	11,58,000
		Increase	...	84,000

The increase is due to (1) Rs. 5,000 under the staff and household of the Lieutenant-Governor, Rs. 5,000 in His Honour's contract allowance, Rs. 10,000 under Legislative Council, Rs. 16,000 under Civil Secretariat owing to the appointment of Clerical Estab-

lishment Committee, Rs. 74,000 under Financial Commissioner (there being two Financial Commissioners now) *minus* Rs. 55,000 for the Excise Commissioner abolished, Rs. 10,000 for leave arrangements under "Commissioners" and Rs. 24,000 for additional establishment for Accountant General's office, Local Fund Department.

19 A—LAW AND JUSTICE—COURTS OF LAW.

				Rs.
Accounts, 1907 08	...	...	...	37,24,000
Budget, 1913-14	...	...	...	41,86,000
		Increase	...	4,62,000

(1)—*Chief Court.*

				Rs.
Accounts, 1907-08	...	...	...	4,66,000
Budget, 1913-14	...	...	...	4,88,000
		Increase	...	22,000

Revision of establishment.

(2)—*Law Officers.*

				Rs.
Accounts, 1907-08	...	...	...	1,81,000
Budget, 1913-14	...	...	...	2,21,000
		Increase	...	40,000

The increase is due to (1) Additional Government Pleaders and (2) higher fees paid to the same.

(3)—*Civil and Sessions Courts.*

				Rs.
Accounts, 1907-08	...	...	...	14,29,000
Budget, 1913-14	...	...	...	17,00,000
		Increase	...	2,71,000

Due (1) to the reorganisation of the Judicial Department necessitating the appointment of four Additional Divisional Judges, and a number of Extra Judicial Assistant Commissioners since October 1910.

(4)—*Criminal Courts.*

				Rs.
Accounts, 1907-08	...	...	...	15,58,000
Budget, 1913-14	...	...	...	16,78,000
		Increase	...	1,20,000

Rs. 25,000 of the increase appear under "Allowances," Rs. 69,000 under "Diet and Road money to witnesses" and Rs. 45,000 under "Contingencies".

19 B—LAW AND JUSTICE—JAILS.

				Rs.
Accounts, 1907-08	...	...	...	10,32,000
Budget, 1913-14	...	...	...	12,03,000
		Increase	...	1,71,000

Due to (1) reorganization of Jail establishment (Daroghas and Warders) Rs. 36,000 (2) higher dietary charges Rs. 36,000, (3) moving prisoners Rs. 10,000, (4) Miscellaneous services and supplies (Rs. 15,000), contingent charges (Rs. 14,000) and live stock, etc. (Rs. 16,000), and the conversion of the Lahore District Jail into a Central Jail.

20.—POLICE.

					Rs.
Accounts, 1907-08	...	...	...	...	52,34,000
Budget, 1913-14	...	...	...	...	60,18,000
			Increase	...	7,84,000

The increase occurs under (1) District Executive Force (Rs 6,73,000) due to bringing the force up to the full sanctioned strength and the substitution of town watchmen by police in certain towns, (2) Railway Police (Rs. 36,000) due to the extension of railways, (3) Criminal Investigation Department (Rs. 48,000).

22—EDUCATION.

				Rs.
Accounts, 1907-08	...	...	...	17,77,000
Budget, 1913-14...	...	...	...	44,83 000
		Increase	...	27,06,000

R[illegible]s 4,97,000 of this increase is nominal as this sum was paid to district boards prior to April 1908 through the "contribution" head. The budget, 1913 14, provides the following special items, which are to be met from Imperial assignments.

Recurring assignments.

(1) Rupees 3 65,000 + 3,38,000 for Primary Education.
(2) Rupees 35,000 for the Punjab University.
(3) Rupees 60,000 for Aided English Secondary Schools.

Non-recurring assignments.

(4) Rupees 11,35,000 for various objects.

The rest of the increase occurs under "Government Schools, General," and other minor heads met from purely Provincial Revenues".

24—MEDICAL

				Rs.
Accounts, 1907-08	...	...	...	13,39,000
Budget, 1913-14	...	...	...	28,68,000
		Increase	...	15,29,000

The increase is mainly due to Imperial grants for sanitation.
The following special items are provided in next year's estimates :—

		Rs.
(1)	Sanitation	11,83,000
(2)	Malaria investigation	36,000
(3)	Grant to municipalities for Health Officers ...	18,000
(4)	Grant at the disposal of the Sanitary Board ..	1,50,000
(5)	Improving Sanitary Services	1,00,000
(6)	Grant to Women's Medical College at Ludhiana	25,000
(7)	Provincialization of charges for registration of births and deaths	8,000
(8)	Contribution to Public Hospitals	5,000
(9)	Training of dais	5,000

26—SCIENTIFIC AND OTHER MINOR DEPARTMENTS,—PROVINCIAL.

				Rs.
Accounts, 1907-08	...	...	...	4,00,000
Budget, 1913-14	...	...	...	13,89,000
		Increase	...	9,89,000

(1) *Agriculture.*

				Rs.
Accounts, 1907-08	...	...	...	1,33,000
Budget, 1913-14	...	...	...	6 62,000
		Increase	...	5,29,000

The increase is due to bringing the staff up to full strength under (1) subordinate staff and agricultural experiments including well-boring staff and experiments (Rs. 67,000), Agricultural Department (Rs. 54,000), and the Punjab Agricultural College (Rs. 39,000), and lump provision of Rs. 3,73,000 from the Imperial grant for improvement of agriculture and allied objects.

(2) *Veterinary and stallion charges.*

				Rs
Accounts, 1907-08	...	...	...	1,54 000
Budget, 1913-14	...	...	...	4 49,000
		Increase	...	2,95,000

The increase occurs under "Veterinary Instructions" (Rs. 23,000 due to the amalgamation of the Ajmere College), subordinate establishment (Rs. 1,04,000, Government

grants to District Board paid through the "Contribution" head prior to April 1911, and Rs. 10,000 represents normal increase), Rs. 1,40,000 for the Hissar Cattle Farm, transferred from Imperial to Provincial management and Veterinary Hospitals and Dispensaries (Rs. 10,000).

(3) *Botanical and other public gardens.*

		Rs.
Accounts, 1907-08 ...	... ...	53,000
Budget, 1913-14 ...	... ...	85,000
	Increase ...	32,000

Station gardens are responsible for an increase of Rs. 28,000 (Minto Park absorbing Rs. 20,000) and Agri-Horticultural Gardens Rs. 3,000.

(4) *Registrar, Co-operative Societies.*

		Rs.
Accounts, 1907-08	... ...	28,000
Budget, 1913-14 ...	... ...	62,000
	Increase ...	34,000

The increase is due to (1) the employment of a senior officer as Registrar (Rs. 5,000), (2) Reorganization of Establishment (Rs. 20,500), (3) travelling allowance (Rs. 6,500, and (4) Contingencies (Rs. 2,000).

(5) *Miscellaneous.*

		Rs.
Accounts, 1907-08	... ...	1,000
Budget, 1913-14 ...	... ...	95,000
	Increase ...	94,000

Provision under this head is now made for the following expenditure :—

		Rs.
(*a*) Grants to the Salvation Army	... ...	20,000
(*b*) Grant for the encouragement of industries	...	20,000
(*c*) Development of pisciculture	... ...	55,000

29—SUPERANNUATION ALLOWANCES AND PENSIONS.

		Rs.
Accounts, 1907-08	... ...	15,44,000
Budget, 1913-14 ...	... ...	19,26,000
	Increase ...	4,82,000

Represents the normal growth of the pension list (Rs. 80,000 yearly).

30—STATIONERY AND PRINTING.

		Rs.
Accounts, 1907-08	... ...	6,65,000
Budget, 1913-14 ...	... ...	7,02,000
	Increase ...	37,000

The increase is accounted for by the higher charges under (1) country stationery (Rs. 30,000), (2) Government Presses (Rs. 33,000), and (3) Lithography (Rs. 55,000), counterbalanced by decreases under Printing at private presses, book and Job work having been withdrawn from the Government contractors (Rs. 41,000), and European stationery (Rs. 39,000).

32—MISCELLANEOUS, PROVINCIAL.

		Rs.
Accounts, 1907-08	... ...	2,71,000
Budget, 1913-14 ...	... ...	5,19,000
	Increase ...	2,48,000

The increase is due to (1) the incorporation of the Copying Agency account (Rs. 2,18,000), and (2) the provision of Rs. 1,30,000 against Rs. 38,000 in 1907-08 for miscellaneous and unforeseen charges, and Rs. 80,000 for increase of pay to clerks, partly counterbalanced by a decrease of Rs. 65,000 under the head "Irrecoverable Temporary Loans written-off", and of Rs. 84,000 under "Special Commission of Enquiry".

42.—IRRIGATION—MAJOR WORKS.

(a)—In charge of Public Works Officers.

Working expenses.—

		Rs.	
Accounts, 1907-08	... ...	67,97,000	Imperial and Provincial.
Budget, 1913-14	.. ..	80,00,000	
Increase	...	12,03,000	

The increase is due to (1) the rise in wages, and (2) the opening of new canals.

(b)—Interest on debt.

		Rs.	
Accounts, 1907-08	... ...	41,35,000	Imperial and Provincial.
Budget, 1913-14	... ...	68,91,000	
Increase	..	27,56,000	

The increase is accounted for by the construction of the Upper Chenab, Upper Jhelum and Lower Bari Doab canals.

43—MINOR WORKS AND NAVIGATION—PROVINCIAL.

Civil Officers.

		Rs.
Accounts, 1907-08	... ...	15,000
Budget, 1913-14	... ...	45,000
Increase	...	30,000

The provision of Rs. 20,000 for grants in-aid of irrigation works, and Rs. 19,000 for Gurgaon bunds, counterbalanced by the transfer of Najafgarh Jhil to the Delhi enclave accounts for the increase under this head.

43—MINOR WORKS.

Public Works Officers.

		Rs.	
Accounts, 1907-08	... ...	61,000	The next year's budget provides a lakh for Kahan Hill Torrent Reservoir Scheme.
Budget, 1913-14	... ...	1,50,000	
Increase	...	89,000	

45.—CIVIL WORKS—PROVINCIAL.

In charge of Civil Officers.

		Rs.
Accounts, 1907-08	... ...	2,60,000
Budget, 1913-14	... ...	10,64,000
Increase	...	8,04,000

The increase is made up of the following items:—

		Rs
(1)	Contributions to district boards formerly adjusted through the "Contribution" head	7,30,000
(2)	Colony towns (Rs. 1,78,000—1,38,000 in 1907-08) ...	40,000
(3)	Provincial grant to District Boards for feeder roads ...	2,00,000

45.—CIVIL WORKS—PROVINCIAL.

Public Works Officers.

		Rs.
Accounts, 1907-08	...	43,30,000
Budget, 1913-14	...	92,97,000
	Increase ...	49,67,000

The increase is due entirely to the utilisation of the accumulated balance in providing office and residential buildings for Government officers and means of communication such as new roads and bridges over rivers, etc. etc. Four lakhs out of the special Imperial grant of 12 lakhs for general purposes are also included here.

BALANCE—

		Rs.
Actual, 1907-08	...	29,98,000
Probable, 1913-14	...	1,46,22,000
	Improvement ...	1,16,24,000

This is made up of—

(a) Unspent balances of—

		Rs.
(1) Grant of 12 lakhs for general purposes...	...	8,00,000
(2) Grant of 25¼ lakhs for education	...	17,13,000
(3) Grant of 14½ lakhs for sanitation (4) Grant of 4 lakhs recurring grant as above }	...	9,75,000
		34,88,000

(b) sale proceeds of proprietary rights—

		Rs.	
Actuals, 1911-12	... ...	58,86,000	
Revised, 1912-13	... ...	54,78,000	
Budget, 1913-14	... ...	26,42,000	
	2	1,40,06,000	
Provincial share	... ...		70,00,000
(c) Prescribed minimum balance	... ...		10,00,000
(d) Other provincial monies	... ...		1,36,000*
	Total ...		1,16,24,000

*In addition to Rs. 29,98,000 at the end of 1907-08, which included Rs. 14,80,000, the unspent balance of the Imperial grant of 20 lakhs for the Simla Extension and Improvement scheme.

... years 1912-13 and 1913-14, respectively.

(In thousands of rupees.)

Budget heads.	Actuals, 1907-08. Total.	Actuals, 1907-08. Provincial share.	Actuals, 1908-09. Total.	Actuals, 1908-09. Provincial share.	Actuals, 1909-10. Total.	Actuals, 1909-10. Provincial share.	Actuals, 1910-11. Total.	Actuals, 1910-11. Provincial share.	Actuals, 1911-12. Total.	Actuals, 1911-12. Provincial share.	Revised, 1912-13. Total.	Revised, 1912-13. Provincial share.	Budget, 1913-14. Total.	Budget, 1913-14. Provincial share.	Comparison of Provincial Budget, 1913-14, with accounts, 1907-08. Increase + Decrease —
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Opening balance	...	54,07	...	29,98	...	14,74	...	27,76	...	69,75	...	1,03,73	...	1,90,09	+1,36,02
Balance of local funds merged in general revenues	...	...	...	53	...	1	...	...	...	...	...	...	...	...	...
Revenue and Receipts.															
I—Land Revenue — Proper (excluding Land Revenue due to Irrigation)	2,24,55	84,20	2,20,89	82,83	2,83,36	1,06,26	2,63,19	98,70	2,89,66	(a)1,44,83	3,11,77	1,55,89	2,72 62	1,36,31	+52,11
I—Land Revenue — Assignments ...	...	57,44	...	62,40	...	60,41	...	97,95	...	37,79	...	74,76	...	29,42	—28,02
IV—Stamps	42,79	21,40	46,81	23,41	48,91	24,46	48,92	24,46	52,57	26,29	54,61	27,31	55,00	27,50	+6,10
V—Excise	42,15	21,08	47,60	23,80	43,23	21,62	56,95	28,47	64,00	32,00	69,50	34,75	69,50	34,75	+13,67
VI—Provincial Rates	41	41	37	37	33	33	25	25	28	28	30	30	30	30	—11
VIII—Assessed Taxes	14,25	6,85	14,74	7,08	15,16	7,29	15,59	7,51	16,22	8,11	16.15	8,07	16,22	8,11	+1,26
IX—Forest	14,57	7,29	12,89	6,44	10,33	5.17	12,17	6,09	13,10	(b)13,10	12,50	12,50	13,29	13,29	+6,00
X—Registration	2,77	2 77	3,14	3,14	3,22	3,22	3.00	3,00	3,16	3,16	3,35	3,35	3,25	3,25	+48
XII—Interest	3 33	2,85	3,25	2,85	4,01	3,55	3,22	2,88	2,93	2,58	2,85	2,57	2,53	2,34	—51
XVI-A—Law and Justice—Courts of Law...	3,35	3,35	4,02	4,02	4,06	4,06	4,36	4,36	4,35	4,35	4,73	4,73	4,63	4,63	+1,28
XVI-B—Law and Justice—Jails ...	1,83	1,83	2,00	2,00	2,54	2,54	2,82	2,82	3,41	3,41	3,23	3,23	3,10	3,10	+1 27
XVII—Police	5,56	5,56	5,78	5,78	5,69	5,69	5,81	5,81	1,79	1,79	1,92	1,92	1,77	1,77	—3,79
XIX—Education	2,95	2,95	3,03	3,03	4,68	4,68	3,72	3,72	3,91	3,91	4,29	4,29	4,64	4,64	+1,69
XX—Medical	52	52	34	34	46	46	49	49	50	50	54	54	54	54	+2
XXI—Scientific and other Minor Departments	75	75	1,02	1,02	1,09	1,09	1,10	1,10	1,06	1,06	1,92	1,22	1,99	1,99	+1,24
XXII—Receipts in aid of Superannuation ...	1,66	65	1,50	62	1,75	87	1,56	62	1,75	79	1,95	84	1,95	84	+19
XXIII—Stationery and Printing ...	1,93	96	1,66	1,06	2,20	1,39	2,68	1,47	2,48	1,44	2,37	1,54	2,24	1,34	+38
XXV—Miscellaneous	1.98	1,64	7,09	6,74	9,65	9,42	11,82	7,89	14.15	9.70	9,09	8,63	4,33	3,87	+2,23
XXIX—Irrigation—Major Works. — Direct receipts— Civil	12,29	4,60	12,36	4,64	14,98	5,62	15,58	5,84	7,23	(a) 3,62	4,43	2,22	70	35	—4,25
XXIX—Irrigation—Major Works. — Direct receipts— Public Works ...	1,67,17	62,69	1,74,44	65,41	1,78,99	67.12	1,84 31	69,12	(a)2,05,85	(a)(c)1,02,92	2,44,00	1,22,00	2,44,00	1,22,00	+59,31
XXIX—Irrigation—Major Works. — Indirect Receipts— Portion of Land Revenue due to Irrigation ...	23,81	8,93	24,90	9,34	30,51	11,44	34,62	12,98	58,25	(a)29,12	77,55	38,78	80,00	40,00	+31,07
XXX—Irrigation—Minor Works and Navigation. — Civil ...	...	...	...	...	1	1	9	9	16	16	15	15	16	16	+16
XXX—Irrigation—Minor Works and Navigation. — Public Works ...	7,73	45	6,75	39	8,37	51	9,15	53	7,83	40	8,00	50	8,26	50	+5
XXXI—Civil Works — Civil ..	2,34	2,34	5,08	5,08	3,60	3,60	3,48	3,48	4,56	4,56	3,65	3,65	3,78	3,78	+1,44
XXXI—Civil Works — Public Works ...	1,81	1,17	1,99	1,23	2,18	1,34	2,25	1,49	2,37	1,65	2,35	1,60	2,27	1,60	+43
Contributions ...	...	6,53	...	...	...	...	...	...	...	...	...	...	...	...	—6,53
Total Revenue and Receipts ...	5,80,50	3,09,21	6,01,65	3,23,02	6,79,31	3,52,15	6,87,13	3,91,12	7,61,57	4,37,52	8,41,20	5,15,34	7,97,17	4,46,38	+1,37,17
GRAND TOTAL, INCLUDING OPENING BALANCE	—	3,63,28	...	3,53,53	—	3,66,90	...	4,18,88	...	5,07,27	...	6,19,07	...	6,36,47	+2,73,19

REMARKS.

(a) Provincial share raised from ⅜th to ½.

(b) Provincial share raised from ½ to whole.

(c) Guaranteed net irrigation income raised from 30¾ to 41 lakhs.

NOTE.—This statement contains provincial and divided heads only. Purely Imperial heads are omitted.

Abstract of the accounts under Major heads of expenditure of the Punjab Government from the years 1907-08 *to* 1911-12, *with the revised and budget estimates for the years* 1912-13 *and* 1913-14 *respectively.*

(In thousands of rupees.)

Budget heads.	ACTUALS, 1907-08.		ACTUALS, 1908-09.		ACTUALS, 1909-10.		ACTUALS, 1910-11.		ACTUALS, 1911-12.		REVISED, 1912-13.		BUDGET, 1913-14.		Comparison of Provincial Budget 1913-14, with accounts 1907-08. Increase + Decrease (—).	REMARKS.
	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.		
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Expenditure																
1—Refunds and Drawbacks	1,42	64	1,54	68	1,46	69	1,49	68	1,54	79	1,65	85	1,62	83	+19	(*a*) Provincial share raised from ⅜th to ½. (*b*) Provincial share raised from half to whole.
2—Assignments and Compensations ...	1,18	32	1,07	31	1,17	38	1,14	33	84	34	1,13	35	97	35	+3	
3—Land Revenue	48,11	48,11	49,75	49,75	47,86	47,86	46,81	46,81	48,03	48,03	47,39	47,39	47,88	47,88	—23	
6—Stamps	1,60	80	1,62	81	1,72	86	1,63	81	1,77	88	1,73	87	1,78	89	+9	
7—Excise	70	35	74	37	78	39	1,69	84	1,71	86	1,84	92	1,92	96	+61	
10—Assessed Taxes	11	6	11	6	11	6	11	5	11	5	11	5	11	5	—1	
11—Forest	11,77	5,88	8,52	4,26	6,68	3,34	7,40	3,70	7,65	(*b*)7,65	8,22	8,22	10,25	10,25	+4,37	
12—Registration	1,11	1,11	1,18	1,18	1,17	1,17	1,16	1,16	1,20	1,20	1,18	1,18	1,18	1,18	+7	
13—Interest on Ordinary Debt	2,18	2,48	2,60	2,60	2,49	2,49	2,16	2,16	2,08	2,08	1,93	1,93	1,91	1,91	—57	
18—General Administration	13,40	10,74	13,56	10,59	13,32	10,52	14,29	11,33	18,33	13,65	17,30	12,40	16,34	11,58	+84	
19-A—Law and Justice—Courts of Law ...	37,24	37,24	37,49	37,49	38,07	38,07	40,94	40,94	42,17	42,17	41,66	41,66	41,86	41,86	+4,62	
19-B—Law and Justice—Jails	10,32	10,32	12,34	12,34	11,06	11,06	11,09	11,09	12,28	12,28	13,03	13,03	12,03	12,03	+1,71	
20—Police	52,34	52,34	55,05	55,05	53,51	53,51	56,50	56,50	58,63	58,63	57,66	57,66	60,18	60,18	+7,84	
22—Education	17,77	17,77	22,24	22,24	22,61	22,61	22,84	22,84	23,55	23,55	33,37	33,37	44,83	44,83	+27,06	
24—Medical	13,39	13,39	14,25	14,25	13,32	13,32	14,20	14,20	21,27	21,27	27,37	27,37	28,68	28,68	+15,29	
26—Scientific and other Minor Departments	4,58	4,00	6,32	5,67	7,74	7,02	7,78	6,66	8.83	7,71	11,29	8,75	15,11	13,89	+9,89	
29—Superannuation Allowances and Pensions	15,59	15,44	16,07	15,95	16,84	16,73	17,67	17,57	18,77	18,71	18,94	18,89	19,32	19,26	+3,82	
30—Stationery and Printing	6,65	6,65	6,77	6,77	7,53	7,53	7,55	7,55	7,32	7,17	7,40	7,23	7,21	7,02	+37	
32—Miscellaneous	3,07	2,71	3,88	3,15	3,45	3,13	3,51	3,18	3,77	3,08	5,82	5,27	5,67	5,19	+248	
36—Reduction or Avoidance of Debt ...	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	...	
42—Irrigation—Major Works. Working Expenses—Civil	2	1	13	5	11	3	7	3	1	...	3	2	2	1	...	
Public Works ...	67,97	25,49	68,95	25,86	75,22	28,20	74,08	27,78	79,35	(*a*)39,67	80,00	40,00	80,00	40,00	+14,51	
Interest on Debt ...	41,35	15,52	44.29	16,61	47,54	17,83	51,81	19,43	57,06	(*a*)28,53	64,19	32,10	68,91	34,46	+18,94	
43—Minor Works and Navigation. Civil	15	15	34	34	13	13	19	19	32	32	30	30	45	45	+30	
Public Works ...	10,66	61	11,43	57	10,51	56	11,09	62	10,85	76	10,34	76	10,42	1,50	+89	
45—Civil Works Civil	2,60	2,60	10,57	10,57	10,25	10,25	10,77	10,77	10,83	10,83	9,01	9,01	10,64	10,64	+8,04	
Public Works ...	54,90	43,30	44,17	39,87	44,45	40,00	44,93	40,51	59,26	51,93	66,14	58,00	97,34	92,97	+49,67	
Contributions	...	13,87	...	...	...	...	...	...	...	...	...	...	—	...	—13,87	
Total Expenditure	4,31,88	3,33,50	4,36,38	3,38,79	4,40,50	3,30,14	4,54,30	3,40,13	4,98,03	4,03,54	5,30,43	4,28,98	5,88,03	4,90,25	1,56,95	
[illegible]	...	[illegible]	...	[illegible]	...	[illegible]	...	[illegible]	...	[illegible]	...	[illegible]	...	[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	

Appendix C.

The Hon'ble Sir HENRY P. BURT's written remarks which were laid on the table are as follows:—"Your Honour,—At the Budget discussions of the last two years, I have ventured to make a few remarks about the North-Western Railway, as I have felt that any information I could give as to what has been and is being done by the Railway Administration to meet the great development of trade which is taking place in this Province, as elsewhere, must prove of interest to this Council. With your permission, Sir, I propose, if I shall not be unnecessarily occupying the time of this Council, to follow the same procedure on this occasion, so that I may let the Council have such further information as I can about our position generally, in regard, more particularly of course, to the measures we are taking to meet the ever increasing demands which are being made upon us.

"In my two previous speeches in Council, I have drawn special attention to the large sums which have been allotted in recent years to improve the carrying capacity of the line. Speaking on the 10th April last year, I said that our traffic generally for the previous year, that is for 1911, had been the highest on record, and that that traffic had been handled without any delay or complaints from the public. I then referred to the complicated and unforeseen situation which was created on the principal lines in Northern India during the first three months of 1912, and I explained that the congestion which the North-Western Railway, in common with other Railways, experienced then, was due to the fact that a heavy famine traffic had to be handled at the same time as a very heavy and unusual export traffic. Although, owing to the phenomenal boom in trade, congestion was felt throughout the past year on most railways serving the ports of Bombay and Calcutta, the North-Western Railway, as a result of what has recently been done to improve the capacity of the line, was, fortunately for the trade of the Punjab, in a position to handle the exceptionally heavy export traffic to Karachi, which started in May last, without any difficulty or delay.

"Seeing that the traffic last year exceeded all previous records (3,028,734 tons having been carried to Karachi last year compared with 1,966,561 tons in 1911 or an increase of 54 per cent.) and that our business generally both in passenger and goods was far larger than in any previous year, our gross earnings having risen from 8·24 crores in 1911-12 to 9 crores in 1912-13, I think I can claim that the assurances I have given this Council in previous years, that we were not losing sight of the trade requirements of the Province and of the areas served by the North-Western Railway, have been in the main fulfilled.

"Although we look forward to having to deal with a heavy traffic again this year when the rabi crop comes into the market, I am glad to be able to say that I do not anticipate that there will be any difficulty in meeting trade demands. The business of the North-Western Railway must continue to increase as the large irrigation projects of the Punjab and Sind are brought into full use, and in spite of what has been done and spent in providing additional facilities for trade, we must of course continue to keep abreast of the demands which are likely to be made upon us in the future and of the expansion which is taking place in the capacity of the port of Karachi to deal with its export traffic. During the current year we shall spend a further sum of [illegible] lacs on capital account in adding to our facilities on the open line, which includes the provision of 118¾ lacs for additional rolling stock. During the next twelve months, additional wagons, with a proper proportion of extra engines, sufficient to meet traffic requirements will be placed on the line, and as regards open line works, the money will mainly be spent in doubling the line between Kotri to Rohri, in completing the doubling between Saharanpur and Ambala, in largely increasing the capacity of our yards at Lahore, Ambala, Kasur and Bhatinda, in putting in extra crossing stations and in lengthening the

sidings at many stations on the line, especially on the Southern Punjab Railway and between Kotri and Karachi; all these works being such as will greatly facilitate the handling of traffic.

"Our grant for the current year for construction purposes, apart that is from the amount I have mentioned as available for open line works, will be mainly devoted to the completion of the projects now in hand, which I mentioned in detail last year, and to the carrying out of certain surveys, nearly all of which have been suggested by Your Honour.

"The Jullundur Hoshiarpur and the Kalabagh-Bannu lines will be opened for passenger traffic very shortly, while it is expected that both the Jakhal-Hissar and the Serai Kala-Havelian Branches will be opened for traffic within two or three months from now.

"As regards the Jech Doab lines, which are under construction by the Southern Punjab Railway, the section from Jullundur to Lohian has already been opened to traffic, and the further section connecting Lohian junction with Phillaur will, it is expected, be ready for opening during the next few weeks or so. The section between Lohian and Ferozepore cannot, however, be ready for public traffic until the new bridge over the Sutlej is ready and that will take some little time to complete.

"We have under construction a branch of the Kalabagh-Bannu line from Laki to Tank on the 2′ 6″ gauge, and estimates have been prepared for the construction of a line from Jacobabad to Kashmore, some 70 miles in length, on the same gauge, and proposals are under consideration for a line also on the 2′ 6″ gauge from Shahdadpur to Lakhana with a possible extension to Jacobabad. These last two lines which are both in Sind will probably be undertaken on branch line terms. The value and importance of these branch line terms in connection with the development of the Railway system of India are now, I am glad to say, being fully recognised by the public, and I hope that private enterprise will very shortly be forthcoming to open out the thickly-populated area between the Sialkot and Pathankot Branches by the construction of branches from Sialkot and Amritsar or Batala towards the Ravi. I also understand that the Mandra Bhon Branch will shortly be taken up again by private enterprise. Then, further investigations are being carried out in connection with the proposed line between Pathankot and Nurpur, as it is thought that the line can be carried beyond Nurpur at a reasonable cost on the 2′ 6″ gauge, which may possibly prove better and of greater convenience to the public than a branch line to Nurpur only on the broad gauge.

"I explained last year that the branch to Chiniot would not, according to the investigation we had made, be a financial success, but at the request of the Punjab Government the matter is being further looked into. As regards the Garhshankar Branch, the junction with the Main Line, when the construction of the branch is undertaken, will probably be at Phillaur, as the Civil authorities now consider that that will be the most suitable arrangement, as it is also I think from the Railway point of view as regards convenience in working.

"A survey is in hand for a feeder line on the 2′ 6″ gauge from Changa Manga to Naukana on the one side and to Chunian and Dipalpur towards Pakpattan on the other, and possibly it may be found better to carry on the line on the 2′ 6″ gauge to Chiniot instead of making the branch to Chiniot referred to above on the broad gauge. Then a survey is being undertaken to see whether the somewhat steep gradients between Kotri and Karachi can be reduced at a reasonable cost, as at present our goods trains running into Kotri with a heavy load of 72 vehicles have to be cut down to a load of 55 vehicles over the Kotri-Karachi section, so it will obviously simplify working and increase our capacity if by easing the gradients we can take on trains with a full load of 72 wagons into Karachi. Apart from this, we are now considering

the possibility of increasing our load generally to 80 wagons over certain important sections of the line, which will mean that the load of every train will be increased by over 11 per cent. We hope, too, before long, to introduce the A, B, C control system on some of the more busy sections of our single line, which will also, in my opinion, greatly add to our capacity for dealing with goods trains.

"Turning to other matters of general interest, I should like to say that we are continuing to do all we can for the convenience of the travelling public, both European and Indian. During the last few years, a very large number of carriages of all classes and of the latest types have been put on to the line, and our shops are working to their full capacity in building more. I should like to remark that with the increase of our third class stock, the use of wagons for the conveyance of pilgrims is far less common than it used to be. Additional refreshment rooms have been provided for Indian travellers which, I believe, are much appreciated. I am sorry there has been some delay in introducing the refreshment car for Indian passengers which I spoke about last year. In the first place there was some difficulty in determining the proper design of a carriage best suited for the purpose, and this I thought it best to leave to a committee of Indian officials. Then the question of supplying good and suitable food had to be carefully thought out, and this problem I entrusted to the same committee of Indian officials. I am glad to say that the car is now ready and all the arrangements for its running, as an experimental measure, are now complete, so I hope the public will have an opportunity of testing its usefulness at a very early date. I shall welcome any suggestions I may receive for improving the arrangements connected with the working of this car, if the car is found to meet a real want on the part of Indian passengers.

"Another matter of general interest is that before long it is hoped that a greatly improved train service will be introduced on all the railways converging on Delhi, which is being designed to meet the convenience of passengers travelling to and from the Imperial city.

"I am sorry to think from the remarks which fell from Your Honour in your speech at Multan last January that you thought, Sir, that the loan of 700 wagons to the Eastern Bengal State Railway in November last had had the effect of rendering it impossible for us this year to carry all the road metal required for the district boards, for which, as I explained to the Council last year, an exceptionally low rate had been introduced. I can assure you, Sir, that the loan of that small number of wagons, during our slack season, had no effect whatever on the situation, especially as the stone is carried as far as possible in open trucks, none of which went to the Eastern Bengal State Railway. In this connection I should like to mention that, so far as my information goes, we have met all demands for road-metalling which have been made upon us during periods of comparative slackness, and before the close of last year the Agent and the Traffic Manager met the Commissioner of Multan and arranged with him to supply all the wagons he required, which it was found as the result of the discussion which then took place, would not exceed one train of 50 wagons for consignments from the three quarries of Paikel, Hundewali and Sangla Hill to Muzaffargarh, Multan and Montgomery. We have practically abolished wharfage for ballast lying on the line, and the demurrage charges are only maintained to ensure that efforts will be made by contractors to unload quickly, so that the wagons may be available to run back to the quarries without delay. To further help the district boards in the Multan division we are arranging to supply ballast from our own quarries and do the quarring, charging only a small sum for supervision and for the use of our ballast sidings, and we are prepared to enter into the same arrangement with other district boards. I have specially referred to this subject because we recognise to the full the benefit good roads are not only to the district boards but also to the railway and it is our desire to help the district boards in this matter in every possible way.

"This, Sir, completes what I can say about the North-Western Railway in the time at my disposal. It is only a brief summary of what we are doing, but I hope it will show that we are continuing to do our utmost to foster the development of trade both in the Punjab and in the other districts served by the railway.

"Before I close, I should like to join my Hon'ble colleagues in their expressions of regret that this will be the last occasion, Sir, on which you will preside over the meetings of this Council, and may I be permitted, on behalf of the North-Western Railway, to thank you for the valuable help and advice which you have so often given us in connection, more particularly, with the many extensions of the railway which have been projected during the last five years."

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PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, SEPTEMBER 5, 1913

PART V.

Bills introduced into the Council of the Lieutenant-Governor of the Punjab for making Laws and Regulations, Reports of Select Committees presented to the Council, and Bills published under Rule 18 of the Rules for the Conduct of Business at Meetings of the Council.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

THE following Report of the Select Committee on the Bill to consolidate and amend the Excise Law in the Punjab will be presented to the Council of the Lieutenant-Governor of the Punjab for the purpose of making Laws and Regulations on the 19th September 1913:—

Report of the Select Committee on the Bill to consolidate and amend the Excise Law in the Punjab.

WE, the undersigned Members of the Select Committee, do hereby submit our Report on the Bill to consolidate and amend the Excise Law in the Punjab.

Throughout the Report, unless the contrary is mentioned, we speak of the clauses as renumbered in the Bill as amended by us, but for convenience of reference the numbering of the clauses of the Bill as introduced is also shown in square brackets.

In clause 3 (1) we have made the definition of the term "beer" more precise by omitting the word "usually" in the phrase "liquors *usually* made from malt."

In clause 3 (2) the words "for the purpose of sale" in the definition of "to bottle" have been omitted, as they are not a necessary part of the definition.

In view of the wide meaning given to the term "transport" in clause 3 (21), we have introduced a saving clause in clause 18 [17] of the Bill, which will give power to provide by rule for moving liquor without a transport license where such exemption may be necessary or convenient, *e.g.*, from one place to another within the same tahsil.

Certain powers which in the opinion of the Select Committee should not be delegated have been excluded from the scope of clause 13 (*a*) [12 (*a*)].

In clause 29 [28] dealing with the prohibition of sale to young persons, we have raised the limit of age from sixteen to eighteen years.

To clause 35 [34] we have added a sub-clause providing that the Collector shall ascertain public opinion before licensing new premises for the retail sale of liquor. The Committee are of opinion that such a provision is not necessary or desirable in regard to shops already licensed.

In clause 45 [44] the words "or any police officer duly empowered" have, in view of clause 11, been considered unnecessary, and have been omitted.

We have restored section 43 of the present Act (*vide* clause 51).

In clause 46 [45] we have prescribed that no Excise Officer below the rank of Sub-Inspector may be empowered to investigate offences, and the power to stop without reference to a Magistrate an investigation once undertaken has been withdrawn.

In clause 54 [52] the power to order the closing of liquor shops in cases of riot or the like has been reserved to Magistrates.

In clause 58 [56] we have provided that, except in special cases, rules made by the Local Government shall be subject to previous publication.

In clause 69 [67] we have restored the provisions of the present Act in regard to abetment

We have re-drafted clause 76 [74] in order to make the meaning more precise.

In the proviso to clause 78 (1) [76 (1)], relating to the confiscation of animals, vehicles and the like used in committing excise offences, we have adopted the provisions of the Eastern Bengal Excise Act.

We have also introduced one or two minor changes which do not call for special notice.

The Excise Bill was published in the *Punjab Gazette* of the 25th April 1913.

We are of opinion that the Bill has been so amended as to render republication desirable. The alterations necessary to give effect to our recommendations are indicated by italics in the Bill as reprinted.

SIMLA:
The 26th August 1913.

M. W. FENTON.
R. A MANT.
SUNDAR SINGH, MAJITHIA.
*GAJJAN SINGH.
*KASHI RAM
S. W. GRACEY.

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*NOTE OF DISSENT.

WE regret we are unable to agree with the other Hon'ble Members of the Select Committee on the limitation they have placed on the provisions of the Bill requiring the Collector to ascertain public opinion before licensing premises for the sale of exciseable articles In our opinion no reason or justification exists for limiting this provision to new shops or premises unlicensed in the previous year. The existing rules on the subject are general and apply to existing as well as new shops, and as it is conceded that the principle of the rules should be embodied in the Act of the Local Council, there seems to be no reason to curtail it in the manner now proposed. We think we should adopt the provisions of section 28 of the Eastern Bengal Excise Act, which is as follows:—

"Before licenses are granted in any year for the retail sale of exciseable articles the Collector shall take such measures in accordance with rules to be made by the Local Government in this behalf as may best enable him to ascertain local public opinion in regard to the licensing and location of shops."

The other point on which we were obliged to differ relates to the extent of powers of search without warrant proposed to be conferred on Excise Officers by clause 49 (1).

In the first instance, there seems to be no great necessity for this provision in addition to clause 46 of the Bill which empowers the Local Government to invest Excise Officers with powers to investigate offences against Excise Law. And officers so empowered are to have all the powers of an officer in charge of a Police Station in cognizable cases under the provisions of Chapter XIV of the Code of Criminal Procedure. This chapter includes the power of search for all possible objects.

If it is intended to have these powers for officers other than investigating officers we would require that there should be some safeguards provided against the abuse of such powers as are provided in the case of investigating officers in the said chapter of the Code of Criminal Procedure or as are provided in the Excise Acts of other Provinces. We would therefore propose that the following proviso be added to this sub-section:—

"Provided that an Excise Officer other than a Collector taking action under this sub-section shall, before entering such place, record the grounds of his belief and send the same to the Collector or the Magistrate whoever is nearer."

SIMLA:
The 26th August 1913.

KASHI RAM.
GAJJAN SINGH.

Annexure to the Report of Select Committee.

(As amended by the Select Committee.)

BILL No. 1 OF 1913.

A Bill to consolidate and amend the excise law in the Punjab.

WHEREAS it is expedient to consolidate and amend the law in the Punjab relating to the import, export, transport, manufacture, sale and possession of intoxicating liquor and of intoxicating drugs: It is hereby enacted as follows:—

References: III of 1896.

CHAPTER I.

PRELIMINARY AND DEFINITIONS.

1 (1) 1. (1) This Act may be called the Punjab Excise Act, 191 ; and

Short title.

1 (2) (2) It extends to the whole of the Punjab.

Extent.

(3) It shall come into force on such date as the Local Government may by notification direct.

Commencement.

2. The enactments mentioned in the schedule are repealed to the extent specified in the fourth column thereof.

Repeal of enactments.

3. In this Act, and the rules made under it unless there is something repugnant in the subject or context,—

Definitions.

3 (1) (3) (1) "beer" includes ale, porter, stout, and all other fermented liquors made from malt;

"beer"

(2) to "bottle" means to transfer liquor from a cask or other vessel to a bottle, jar, flask, or similar receptacle whether any process of manufacture be employed or not, and bottling includes re-bottling;

"bottle"

3 (1) (3) (3) "Collector" includes any revenue officer in independent charge of a district and any official appointed by the Local Government to discharge, throughout any specified local area, the functions of a Collector under this Act;

"Collector"

(4) "Commissioner" means the chief officer in charge of the revenue administration of a division;

"Commissioner"

(5) "denatured" means effectually and permanently rendered unfit for human consumption;

"denatured"

(6) "excisable article" means and includes any liquor or intoxicating drug as defined by or under this Act;

"excisable article"

(7) "Excise Commissioner" means the officer appointed by the Local Government under section 9; References: Act XII of 1896.

"Excise Commissioner"

(8) "excise officer" means any officer or person appointed, or invested with powers, under this Act; ...

"excise officer."

(9) "excise revenue" means revenue derived or derivable from any payment, duty, fee, tax, confiscation or fine, imposed or ordered under the provisions of this Act, or of any other law for the time being in force relating to liquor or intoxicating drugs, but does not include a fine imposed by a court of law;

"excise revenue"

(10) "export" means to take out of the Punjab; ...

"export"

(11) "Financial Commissioner" shall, when there are more Financial Commissioners than one, be construed as meaning one or more of the Financial Commissioners; 3 (1) (e)

"Financial Commissioner"

(12) "import" means to bring into the Punjab; ...

"import"

(13) "intoxicating drug" includes— 3 (1) (f), as amended by Act VII of 1906.

"intoxicating drug"

(a) *charas*, *bhang*, *ganja* and all other preparations of the hemp plant (*cannabis sativa*) as well as all portions of the said plant from which such preparations are made. The Local Government may, by notification, declare what shall be deemed to be *charas*, *bhang*, or *ganja*;

(b) cocaine and all other preparations or derivatives of the coca plant (*erythroxylon coca*) and all portions of the said plant from which such preparations are made;

(c) any other intoxicating drink or substance which the Local Government may by notification specify in this behalf;

(d) every preparation or admixture of any article mentioned in sub-sections (a), (b) and (c) above, but does not include opium or anything which is included in opium as defined in the Opium Act (I of 1878);

(14) "liquor" means intoxicating liquor, and includes all liquid consisting of or con- ...

"liquor"

REFERENCES: Act XII of 1896.

taining alcohol; also any substance which the Local Government may by notification declare to be liquor for the purposes of this Act;

3 (1) (d) (15) "magistrate" means any magistrate exercising powers not less than those of a magistrate of the second class, or any magistrate of the third class specially authorised in this behalf by the district magistrate;

"magistrate"

... (16) "manufacture" includes every process, whether natural or artificial, by which any excisable article is produced or prepared, and also redistillation and every process for the rectification, reduction, flavouring, blending or colouring of liquor;

"manufacture"

3 (1) (f) (17) "place" includes a building, shop, tent, enclosure, booth, vehicle, vessel, boat and raft;

"place"

... (18) expressions referring to "sale" include any transfer otherwise than by way of gift;

"sale"

3 (1) (i) (19) "spirit" means any liquor containing alcohol obtained by distillation, whether denatured or not;

"spirit"

3 (1) (g) (20) "tari" means fermented or unfermented juice drawn from any kind of palm tree;

"tari"

... (21) "transport" means to move from one place to another within the Punjab.

"transport"

3 (1) (2) 4. The Local Government may, with the previous sanction of the Governor-General in Council, by notification declare what, for the purposes of this Act or any portion thereof, shall be deemed to be "country liquor" and "foreign liquor."

"Country liquor" and "foreign liquor."

... 5. The Local Government may by notification declare with respect either to the whole of the Punjab or to any local area comprised therein, and as regards purchasers generally or any specified class of purchasers, and generally or for any specified occasion the maximum and minimum quantity or both of any excisable article which for the purposes of this Act may be sold by retail and by wholesale, respectively.

Power of Local Government to declare limit of sale by retail and by wholesale.

6. Where under this Act any notification is made, any power conferred, any appointment made, or any license, pass or permit granted, it shall be lawful to direct— 1896.

Power to limit application of notifications, permits, &c., made under this Act.

(a) that it shall apply to the whole of the Punjab or to any specified local area or areas;

(b) that it shall apply to all or any specified excisable article or articles or classes thereof;

(c) that it shall apply to all or any class or classes of persons or officers;

(d) that it shall be in force only for some special period or occasion.

7. Save as provided by the Schedule, nothing contained in this Act shall affect the provisions of the Sea Customs Act, 1878, the Cantonments Act, 1910, or the Indian Tariff Act, 1894, or any rule or order made thereunder. ... India Act VIII of 1878. Act II of 1910. Act VIII of 1894.

Saving of enactments.

CHAPTER II.

ESTABLISHMENT AND CONTROL.

8. (a) Subject to the control of the Local Government and unless the Local Government shall by notification otherwise direct, the general superintendence and administration of all matters relating to excise shall vest in the Financial Commissioner. ...

Superintendence and control of the excise administration and excise officers.

(b) Subject to the general superintendence and control of the Financial Commissioner and unless the Local Government shall by notification otherwise direct, the Commissioner shall control all excise officers in his division.

(c) Subject as aforesaid and to the control of the Commissioner and unless the Local Government shall by notification otherwise direct, the Collector shall control all other excise officers in his district.

9. The Local Government may by notification appoint an Excise Commissioner and, subject to such conditions and restrictions as it may deem fit, may invest him with all or any of the powers conferred on the Financial Commissioner by this Act. ...

Excise Commissioner.

10. (a) There shall be such other classes of excise officers as the Local Government may by notification declare and the Local Government may appoint as many persons as it deems fit to be excise officers of these classes. ...

Other classes of excise officers.

(b) The Local Government shall by notification declare what powers under this Act shall be exercised by excise officers of each class.

Their powers.

(c) In conferring powers under this Act the Local Government may empower persons by name or in virtue of their office or classes of officials generally by their official titles.

Mode of conferring powers.

Power to invest persons with special powers under this Act.

11. The Local Government may by notification invest any person, not being an excise officer, with power to perform all or any of the functions of an excise officer under this Act, and such person shall in the exercise of these functions be deemed to be an excise officer.

Local limits of jurisdiction.

12. The jurisdiction of the Financial Commissioner and of the Excise Commissioner shall extend to the Punjab, the jurisdiction of Commissioners shall extend to their divisions, and the jurisdiction of Collectors and other excise officers shall, unless the Local Government shall otherwise direct, extend to the districts in which they are for the time being employed.

Delegation.

13. (*a*) The Local Government may by notification delegate to the Financial Commissioner or Commissioner all or any of its powers under this Act, *except the powers conferred by sections 14, 21, 22, 31, 56 and 58 of this Act.*

(*b*) The Local Government may by notification permit the delegation by the Financial Commissioner, Commissioner or Collector to any person or class of persons specified in such notification of any powers conferred by this Act or exercised in respect of excise revenue under any Act for the time being in force.

Appeal.

14. An appeal shall lie from an original or appellate order of an excise officer in such cases or classes of cases and to such authority as the Local Government shall by notification declare.

Revision.

15. (*a*) The Financial Commissioner may at any time revise any order passed by any excise officer subordinate to him.

(*b*) A Commissioner or Collector may call for the record of any case pending before, or disposed of by, any excise officer subordinate to him, and if he is of opinion that the proceedings taken or order made should be modified or reversed, he shall report the case with his opinion thereon for the orders of the Financial Commissioner:

Provided that the Financial Commissioner shall not under this section pass an order revising or modifying any proceeding or order of a subordinate excise officer and affecting any person without giving such person an opportunity of being heard.

CHAPTER III.

IMPORT, EXPORT AND TRANSPORT.

Import, export and transport of excisable articles.

16. No excisable article shall be imported, exported or transported except—

(*a*) after payment of any duty of customs or excise to which it may be liable, or execution of a bond for such payment, and

(*b*) in compliance with such conditions as the Local Government may impose.

Power of Local Government to prohibit import, export and transport of excisable articles.

17. The Local Government may, by notification,—

(*a*) with the previous sanction of the Governor-General in Council, prohibit the import or export of any excisable article into or from the Punjab or any part thereof; or

(*b*) prohibit the transport of any excisable article.

Passes necessary for import, export and transport.

18. Except as otherwise provided by any rule made under this Act, no excisable article exceeding such quantity as the Local Government may prescribe by notification shall be imported, exported or transported except under a pass issued under the provisions of the next following section:

Provided that in the case of duty-paid foreign liquor such passes shall be dispensed with, unless the Local Government shall by notification otherwise direct:

Provided, further, that on such conditions as may be determined by the Financial Commissioner, a pass granted under the excise law in force in another province may be deemed to be a pass granted under this Act.

Grant of passes for import, export and transport.

19. Passes for the import, export or transport of excisable articles may be granted by the Collector:

Provided that passes for the import and export of such excisable articles as the Financial Commissioner may from time to time determine shall be granted only by the Financial Commissioner.

CHAPTER IV.

MANUFACTURE, POSSESSION AND SALE.

A.—Manufacture.

Manufacture of excisable articles prohibited except under the provisions of this Act.

20. (*1*) (*a*) No excisable article shall be manufactured or collected,

(*b*) no hemp plant or coca plant shall be cultivated,

(*c*) no tari-producing tree shall be tapped,

(*d*) no tari shall be drawn from any tree, and

(*e*) no person shall use, keep or have in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing any excisable article other than tari,

except under the authority and subject to the terms and conditions of a license granted in that behalf by the Collector.

(*2*) No distillery or brewery shall be constructed or worked except under the authority and subject to the terms and conditions of a license granted in that behalf by the Financial Commissioner under section 21.

REFERENCES: Act XII of 1896. ...

Establishment or licensing of distilleries.

21. The Financial Commissioner, subject to such restrictions or conditions as the Local Government may impose, may—

6 (*a*) establish a distillery in which spirit may be manufactured under a license granted under section *20*;

(*b*) discontinue any distillery so established;

(*c*) license the construction and working of a distillery or brewery;

(*d*) make rules regarding—

65 (*1*) the granting of licenses for distilleries, stills or breweries;

(*2*) the security to be deposited by the licensee of a distillery or brewery;

(*3*) the period for which the license shall be granted;

(*4*) the inspection and examination of such distillery or brewery and the warehouses connected therewith and of the spirit or fermented liquor made and stored therein;

(*5*) the management and working of the distillery or brewery;

(*6*) the form of accounts to be maintained and the returns to be submitted by the licensee;

(*7*) the up-keep of buildings and plant;

(*8*) the size and description of stills and other plant;

(*9*) the manufacture, storing and passing out of spirit, and the contents of passes;

(*10*) the prices to be charged;

(*11*) any other matters connected with the working of distilleries.

Establishment or licensing of warehouses.

14: **22.** The Financial Commissioner, subject to such restrictions or conditions as the Local Government may impose, may—

(*a*) establish or license a warehouse wherein any excisable article may be deposited and kept without payment of duty;

(*b*) discontinue any warehouse so established.

Removal of excisable article from distillery, etc.

15 **23.** No excisable article shall be removed from any distillery, brewery, warehouse, or other place of storage established or licensed under this Act, unless the duty (if any) imposed under section *31* has been paid or a bond has been executed for the payment thereof.

B.—Possession.

Possession of excisable articles.

24. (*1*) No person shall have in his possession any quantity of any excisable article in excess of such quantity as the Local Government has, under section 5, declared to be the limit of retail sale, except under the authority and in accordance with the terms and conditions of—

(*a*) a license for the manufacture, sale or supply of such article; or

(*b*) in the case of intoxicating drugs, a license for the cultivation or collection of the plants from which such drugs were produced; or

(*c*) a permit granted by the Collector in that behalf.

Exceptions.

(*2*) Sub-section (*1*) shall not apply to—

(*a*) any excisable article in the possession of any Excise Officer, common carrier or warehouseman as such; or

(*b*) any foreign liquor which has been purchased by any person for his *bonâ fide* private consumption.

(*3*) A licensed vendor shall not have in his possession at any place, other than that authorized by his license, any quantity of any excisable article in excess of such quantity as the Local Government has under section 5 declared to be the limit of sale by retail, except under a permit granted by the Collector in that behalf.

Prohibition and restriction of possession of excisable articles in certain cases.

(*4*) Notwithstanding anything contained in the foregoing sub-sections, the Local Government may by notification prohibit the possession of any excisable article, or restrict such possession by such conditions as it may prescribe.

Prohibition of possession of excisable article, unlawfully manufactured, imported, &c.

25. No person shall have in his possession any quantity of any excisable article, knowing the same to have been unlawfully imported, transported, manufactured, cultivated or collected, or knowing the prescribed duty not to have been paid thereon.

C.—Sale.

Sale of excisable articles.

26. No liquor shall be bottled for sale and no excisable article shall be sold, except under the authority and subject to the terms and conditions of a license granted in that behalf; provided that—

(*1*) a person licensed under section 20 to cultivate hemp or coca plant may sell without a license those portions of the plant from which any intoxicating drug can be manufactured to any person licensed under this Act to deal in the same or to any officer whom the Financial Commissioner may appoint in this behalf;

(2) a person having the right to the tari drawn from any tree may sell the same without a license to a person licensed to manufacture or sell tari under this Act;

(3) on such conditions as the Financial Commissioner may determine a license for sale under the excise law for the time being in force in other parts of British India may be deemed to be a license granted in that behalf under this Act;

(4) nothing in this section applies to the sale of any foreign liquor lawfully procured by any person for his private use and sold by him or on his behalf or on behalf of his representatives in interest upon his quitting a station or after his decease.

Grant of lease of manufacture, etc.

27. (1) The Local Government may lease to any person, on such conditions and for such period as it may deem fit, the right,—

(i) of manufacturing or of supplying by wholesale, or of both, or

(ii) of selling by wholesale or by retail, or

(iii) of manufacturing or of supplying by wholesale, or of both, and of selling by retail,

any country liquor or intoxicating drug within any specified local area.

(2) The Collector shall grant to a lessee under sub-section (1) a license in the terms of his lease; and, when there is no condition in the lease which prohibits sub-letting, may, on the application of the lessee, grant a license to any sub-lessee approved by the Collector.

Manufacture and sale of liquor in military cantonments.

28. Within the limits of any military cantonment, and within such distance from those limits as the Local Government in any case may prescribe, no license for the manufacture or sale of liquor and no lease of the retail vend of liquor such as is described in section 27 shall be granted unless with the consent of the Commanding Officer.

Prohibition of sale to persons under the age of eighteen years.

29. No licensed vendor and no person in the employ of such vendor and acting on his behalf shall sell or deliver any spirit or intoxicating drug to any person apparently under the age of *eighteen* years whether for consumption by such person or by another person and whether for consumption on or off the premises of such vendor.

Prohibition of employment of children under the age of sixteen years and of women.

30. (1) No person who is licensed to sell foreign liquor or country spirit for consumption on his premises shall, during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any child under the age of sixteen years in any part of such premises in which such liquor or spirit is consumed by the public. REFERENCES: Act XII of 1896.

(2) No person who is licensed to sell foreign liquor or country spirit for consumption on his premises shall, without the previous permission in writing of the Collector, during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any woman in any part of such premises in which liquor is consumed by the public.

(3) Every permission granted under sub-section (2) shall be endorsed on the license, and may be modified or withdrawn.

CHAPTER V.

DUTIES AND FEES.

Duty on excisable articles.

31. A duty, at such rate or rates as the Local Government shall direct, may be imposed, either generally or for any specified local area, on any excisable article— 7, 13, 33

(a) imported, exported or transported in accordance with the provisions of section *16*; or

(b) manufactured or cultivated under any license granted under section *20*; or

(c) manufactured in any distillery established, or any distillery or brewery licensed under section *21*:

Provided as follows:— 8

(i) duty shall not be so imposed on any article which has been imported into British India and was liable on importation to duty under the Indian Tariff Act, 1894, or the Sea Customs Act, 1878; India Act VIII of 1894. India Act VIII of 1878.

(ii) the duty on denatured spirit or beer manufactured in India, shall, unless the Local Government, with the previous sanction of the Governor-General in Council, otherwise directs, be equal to the duty to which denatured spirit or beer respectively imported into British India by sea is liable under the Indian Tariff Act, 1894, or any other law for India Act VIII of 1894.

REFERENCES: Act XII of 1896.

the time being in force relating to the duties or customs on goods imported into British India.

Explanation.—Duty may be imposed under this section at different rates according to the places to which any excisable article is to be removed for consumption, or according to the varying strengths and quality of such article.

19 Manner in which duty may be levied.

32. Subject to such rules regulating the time, place and manner as the Financial Commissioner may prescribe, such duty shall be levied rateably on the quantity of excisable article imported, exported, transported, collected or manufactured in, or issued from, a distillery, brewery or warehouse:

Provided that duty may be levied—

(*a*) on intoxicating drugs by an acreage rate levied on the cultivation of the hemp or coca plant, or by a rate charged on the quantity collected;

(*b*) on spirit or beer manufactured in any distillery established, or any distillery or brewery licensed, under this Act in accordance with such scale of equivalents calculated on the quantity of materials used, or by the degree of attenuation of the wash or wort, as the case may be, as the Local Government may prescribe;

(*c*) on tari, by a tax on each tree from which the tari is drawn:

Provided further that, where payment is made upon issue of an excisable article for sale from a warehouse established or licensed under section 22 (*a*), it shall be made—

(*a*) if the Local Government by notification so directs at the rate of duty which was in force at the date of import of that article, or

(*b*) in the absence of such direction by the Local Government, at the rate of duty which is in force on that article on the date when it is issued from the warehouse.

Payment for grant of leases.

33. Instead of or in addition to any duty leviable under this chapter the Local Government may accept payment of a sum in consideration of the lease of any right under section 27.

CHAPTER VI.—LICENSES, PERMITS AND PASSES.

Fees for, terms, conditions and form of, and duration of, licenses, permits and passes.

34. (*1*) Every license, permit or pass granted under this Act shall be granted—

(*a*) on payment of such fees, if any,

(*b*) subject to such restrictions and on such conditions,

(*c*) in such form and containing such particulars,

(*d*) for such period,

as the Financial Commissioner may direct.

Security.

(*2*) Any authority granting a license under this Act may require the licensee to give such security for the observance of the terms of his license, or to make such deposit in lieu of security, as such authority may think fit.

Grant of licenses for sale.

35. (*1*) Subject to the rules made by the Financial Commissioner under the powers conferred by this Act, the Collector may grant licenses for the sale of any excisable article within his district.

Ascertainment of public opinion.

(*2*) *Before any license is granted in any year for the retail sale of liquor for consumption on any premises which have not been so licensed in the preceding year, the Collector shall take such measures in accordance with rules to be made by the Local Government in this behalf, as may best enable him to ascertain local public opinion in regard to such premises.*

(*3*) A license for sale in more than one district of the Punjab shall be granted by the Financial Commissioner only.

Power to cancel or suspend licenses, etc.

36. Subject to such restrictions as the Local Government may prescribe, the authority granting any license, permit or pass under this Act may cancel or suspend it—

(*a*) if it is transferred or sublet by the holder thereof without the permission of the said authority; or

(*b*) if any duty or fee payable by the holder thereof be not duly paid; or

(*c*) in the event of any breach by the holder of such license, permit or pass or by his servants, or by anyone acting on his behalf with his express or implied permission, of any of the terms or conditions of such license, permit or pass; or

(*d*) if the holder thereof is convicted of any offence punishable under this Act or any other law for the time being in force relating to revenue, or of any cognizable and non-bailable offence, or of any offence punishable under the Merchandise Marks Act, 1889, or of any offence punishable under sections 482 to 489 (both inclusive) of the Indian Penal Code; or

REFERENCES: Act XII of 1896. India Act IV of 1889. India Act XLV of 1860.

(e) if the holder thereof is punished for any offence referred to in clause (8) of section 167 of the Sea Customs Act, 1878; or

(f) where a license, permit or pass has been granted on the application of the grantee of a lease under this Act, on the requisition in writing of such grantee; or

(g) at will, if the conditions of the license or permit provide for such cancellation or suspension.

Power to cancel any other license.

37. When a license, permit or pass held by any person is cancelled under sub-clause (a), (b), (c), (d) or (e) of section 36 the authority aforesaid may cancel any other license, permit or pass granted to such person within the same district under this Act or under any other law for the time being in force relating to excise revenue or under the Opium Act, 1878, and the Financial Commissioner may cancel any such license, permit or pass granted to such person in any district to which this Act applies.

Power to recover fee.

38. In the case of cancellation or suspension of a license under sub-clause (a), (b), (c), (d) or (e) of section 36, the fee payable for the balance of the period for which any license would have been current but for such cancellation or suspension, may be recovered from the ex-licensee as excise revenue.

Power of Collector to take grants under management or to resell.

39. If any holder of a license granted under this Act, or any person to whom a lease has been granted under section 27, makes default in complying with any condition imposed upon him by such license or lease, the Collector may take the grant under management at the risk of the person who has so defaulted or may resell it and recover in the manner laid down in section 60 of this Act any deficiency in price and all expenses of such re-sale.

No compensation or refund claimable for cancellation or suspension of license, etc., under this section.

40. When a license, permit or pass is cancelled or suspended under sub-clause (a), (b), (c), (d) or (e) of section 36 or under section 37, the holder shall not be entitled to any compensation for its cancellation or suspension nor to the refund of any fee paid or deposit made in respect thereof.

Powers to withdraw licenses.

41. (1) Whenever the authority which granted a license, permit or pass under this Act considers that such license, permit or pass should be withdrawn for any cause other than those specified in section 36, it may, on remitting a sum equal to the amount of the fees payable in respect thereof for fifteen days, withdraw the license either—

REFERENCES: Act XII of 1896.

(a) on the expiration of fifteen days' notice in writing of its intention to do so, or

(b) forthwith without notice.

Compensation in the case of withdrawal.

(2) If any license, permit, or pass be withdrawn under clause (b) of sub-section (1), in addition to the sum remitted as aforesaid, there shall be paid to the licensee such further sum (if any) by way of compensation as the Financial Commissioner may direct.

Refund of fee or deposit.

(3) When a license, permit or pass is withdrawn under this section, any fee paid in advance or deposit made by the licensee in respect thereof shall be refunded to him, after deducting the amount (if any) due to Government.

Technical irregularities in license, etc.

42. (1) No license, permit or pass granted under this Act shall be deemed to be invalid by reason merely of any technical defect, irregularity or omission in the license or in any proceedings taken prior to the grant thereof.

(2) The decision of the Financial Commissioner as to what is a technical defect, irregularity or omission shall be final.

No claim in consequence of refusal to renew a license, etc.

43. No person to whom a license, permit or pass may have been granted shall be entitled to claim any renewal thereof, and no claim shall lie for damages or otherwise in consequence of any refusal to renew a license, permit or pass on the expiry of the period for which it remains in force.

Surrender of license.

44. (1) No holder of a license granted under this Act to sell an excisable article shall surrender his license except on the expiration of one month's notice in writing given by him to the Collector of his intention to surrender the same and on payment of the fee payable for the license for the whole period for which it would have been current but for the surrender: 24

Provided that, if the Collector is satisfied that there is sufficient reason for surrendering the license, he may remit to the holder thereof the sum so payable on surrender or any portion thereof.

(2) Sub-section (1) shall not apply in the case of any license granted under section 27 (2).

Explanation.—The words "holder of a license" as used in this section include a person whose tender or bid for a license has been accepted, although he may not actually have received the license.

References: Act XII of 1896.

CHAPTER VII.

POWERS AND DUTIES OF OFFICERS, ETC.

35 *45.* Any excise officers not below such rank as the Local Government may prescribe may—

Power to enter and inspect places of manufacture and sale.

(*a*) enter and inspect, at any time by day or by night, any place in which any licensed manufacturer carries on the manufacture of or stores any excisable article;

(*b*) enter and inspect, at any time within the hours during which sale is permitted, and at any other time during which the same may be open, any place in which any excisable article is kept for sale by any person holding a license under this Act;

(*c*) examine accounts and registers, test, measure or weigh any materials, stills, utensils, implements, apparatus or excisable article found in that place;

(*d*) seize any accounts, registers, measures, weights or testing instruments which he has reason to believe to be false.

... *46.* (*1*) The Local Government may by notification invest any excise officer, not below *the rank of sub-inspector*, with power to investigate any offence punishable under this Act committed within the limits of the area in which the officer exercises jurisdiction.

Powers of excise officers to investigate offences punishable under this Act.

(*2*) Every officer so empowered may within those limits exercise the same powers in respect of such investigation as an officer in charge of a police station may exercise in a cognizable case under the provisions of chapter XIV of the Code of Criminal Procedure, 1898. India Act V of 1898.

36, 37 *47.* Any officer of the excise, police, salt, or land revenue departments, not below such rank and subject to such restrictions as the Local Government may prescribe, and any other person duly empowered by notification by the Local Government in this behalf, may arrest without warrant any person found committing an offence punishable under section *61*, or section *63*; and may seize and detain any excisable or other article which he has reason to believe to be liable to confiscation under this Act or other law for the time being in force relating to excise revenue: and may detain and search any person upon whom, and any vessel, raft, vehicle, animal, package, receptacle or covering in or upon which he may have reasonable cause to suspect any such article to be.

Powers of arrest, seizure and detention.

48. A magistrate having reason to believe that an offence under section 61 or 63 has been, is being, or is likely to be committed, may—

Power of magistrate to issue warrant for search or arrest.

References: Act XII of 1896, ss. 40

(*a*) issue a warrant for the search of any place in which he has reason to believe that any excisable article, still, utensil, implement, apparatus or materials, in respect of which such offence has been, is being, or is likely to be committed, are kept or concealed; and

(*b*) issue a warrant for the arrest of any person whom he has reason to believe to have been, to be or to be likely to be engaged in the commission of any such offence.

49. (*1*) Whenever any excise officer not below such rank as the Local Government may by notification prescribe, has reason to believe that an offence punishable under section 61, section 62, section 63, or section 64, has been, is being, or is likely to be committed in any place, and that a search-warrant cannot be obtained without affording the offender an opportunity of escape or of concealing evidence of the offence, he may, at any time, by day or night, enter and search such place.

Power of excise officer to search without warrant.

(*2*) Every excise officer as aforesaid may seize anything found in such place which he has reason to believe to be liable to confiscation under this Act, and may detain and search and, if he thinks proper, arrest any person found in such place whom he has reason to believe to be guilty of such offence as aforesaid.

Further powers of seizure, detention, search and arrest.

50. Save as in this Act otherwise expressly provided, the provisions of the Code of Criminal Procedure, 1898, relating to arrests, detentions in custody, searches, summonses, warrants of arrest, search-warrants, production of persons arrested and investigation of offence shall be held to be applicable to all action taken in these respects under this Act: India Act V of 1898.

Procedure relating to arrests, searches, etc.

Provided that—

(1) any offence under this Act may be investigated by an officer empowered under section *46* without the order of a magistrate;

(2) whenever an excise officer below the rank of Collector makes any arrest, seizure or search he shall within twenty-four hours thereafter make a full report of all the particulars of the arrest, seizure or search to his immediate official superior, and shall, unless bail be accepted under section 73, take or send the person arrested, or the article seized, with all convenient despatch to a magistrate for trial or adjudication.

References Act XII of 1896. 51. *All Police officers are required to aid the Excise officers in the due execution of this Act, upon request made by such excise officers.*

Police to aid Excise officers.

52. (*a*) Every owner or occupier of land and the agent of any such owner or occupier of land on which—

Duty of landholders and others to give information.

(*b*) Every lambardar, village headman, village accountant, village watchman, village policeman and every officer employed in the collection of revenue or rent of land on the part of Government or the Court of Wards in whose village—

there shall be any manufacture or illegal import or collection of any excisable article not licensed under this Act, or any unlawful cultivation of any plants from which an intoxicating drug can be produced, shall be bound, in the absence of reasonable excuse, to give notice of the same to a magistrate or to an officer of the excise, police or land revenue department as soon as the fact comes to his knowledge.

53. Every officer in charge of a police station shall take charge of and keep in safe custody, pending the orders of a magistrate or of the Collector, or of an officer empowered under section *46* (1) to investigate the case, all articles seized under this Act which may be delivered to him, and shall allow any excise officer who may accompany such articles to the police station, or may be deputed for the purpose by his superior officer to affix his seal to the articles and to take samples of and from them. All samples so taken shall also be sealed with the seal of the officer in charge of the police station.

Duty of officer in charge of police station to take charge of articles seized.

54. (*1*) The District Magistrate or a Sub-Divisional Magistrate by notice in writing to the licensee may require that any shop in which any excisable article is sold shall be closed at such times or for such period as he may think necessary for the preservation of the public peace.

Power to close shops for the sake of public peace.

(*2*) If a riot or unlawful assembly is apprehended or occurs in the vicinity of any such shop, a magistrate of any class, may require such shop to be kept closed for such period as he may think necessary :

Provided that where any such riot or unlawful assembly occurs the licensee shall, in the absence of *a* magistrate, close his shop without any order.

(*3*) When any Sub-Divisional Magistrate makes a direction under sub-section (*1*) or any magistrate makes a direction under sub-section (*2*), he shall forthwith inform the Collector of his action and his reasons therefor.

CHAPTER VIII.

GENERAL PROVISIONS.

55. Every person who manufactures or sells any excisable article under a license granted under this Act shall be bound—

Measures, weights and testing instruments.

(*a*) to supply himself with such measures, weights and instruments as the Financial Commissioner may prescribe, and to keep the same in good condition ; and

(*b*) on the requisition of any excise officer duly empowered by the Collector in that behalf, at any time to measure, weigh or test any excisable article in his possession in such manner as the said excise officer may require.

56. The Local Government may, by notification, either wholly or partially and subject to such conditions as it may think fit to prescribe, exempt any excisable article from all or any of the provisions of this Act. "

Power of Local Government to exempt excisable articles from the provisions of the Act.

57. No suit shall lie in any civil court against the Secretary of State for India in Council or any officer or person for damages for any act in good faith done, or ordered to be done, in pursuance of this Act or of any other law for the time being in force relating to the excise revenue.

Bar of certain suits.

58. (*1*) The Local Government may, by notification, make rules for the purpose of carrying out the provisions of this Act or any other law for the time being in force relating to excise revenue. 19

Power of Local Government to make rules.

(*2*) In particular, and without prejudice to the generality of the foregoing provision, the Local Government may make rules—

(*a*) prescribing the duties of excise officers ;

(*b*) regulating the delegation of any powers by the Financial Commissioner, Commissioner or Collector, under section *13*, clause (*b*) ;

(*c*) prescribing the time and manner of presenting, and the procedure for dealing with appeals from orders of excise officers ;

(*d*) regulating the import, export, transport or possession of any excisable article ;

(*e*) regulating the periods and localities for which, and the persons, or classes of persons, to whom, licenses, permits and passes for the vend by wholesale or by retail of any excisable article may be granted and regulating the number of such licenses which may be granted in any local area ;

REFERENCES: Act XII of 1896.

(*f*) *prescribing the procedure to be followed and the matters to be ascertained before any license for the retail vend of liquor for consumption on the premises ;*

(*g*) for the prohibition of the sale of any excisable article to any person or class of persons ;

(*h*) regulating the power of excise officers to summon witnesses from a distance ;

(*i*) regulating the grant of expenses to witnesses and *compensation* to persons charged with offences under this Act and subsequently released, discharged or acquitted ;

(*j*) for the prohibition of the employment by a license-holder of any person or class of persons to assist in his business in any capacity whatsoever ;

(*k*) for the prevention of drunkenness, gambling or disorderly conduct in or near any licensed premises, and the meeting or remaining of persons of bad character in such premises.

Previous publication of rules.

(3) *The powers conferred by this section for making rules is subject to the condition that the rules be made after previous publication :*

Provided that any such rules may be made without previous publication if the Local Government considers that they should be brought into force at once.

Power of Financial Commissioner to make rules.

65 59. The Financial Commissioner may, by notification, make rules—

(*a*) regulating the manufacture, supply, storage or sale of any excisable article, including—

(*i*) the character, erection, alteration, repair, inspection, supervision, management and control of any place for the manufacture, supply, storage or sale of such article and the fittings, implements, apparatus and registers to be maintained therein ;

(*ii*) the cultivation of the hemp or coca plant and the collection of spontaneous growth of such plant and the preparation of any intoxicating drug ;

(*iii*) the tapping or drawing of tari from any tari-producing tree :

(*b*) regulating the bottling of liquor for purposes of sale :

(*c*) regulating the deposit of any excisable article in a warehouse and the removal of any excisable article from any warehouse or from any distillery or brewery :

(*d*) prescribing the scale of fees or the manner of fixing the fees payable in respect of any license, permit or pass, or in respect of the storing of any excisable article :

(*e*) regulating the time, place and manner of payment of any duty or fee :

(*f*) prescribing the authority by, the restrictions under and the conditions on, which any license, permit or pass may be granted, including provision for the following matters :—

(*i*) the prohibition of the admixture with any excisable article of any substance deemed to be noxious or objectionable ;

(*ii*) the regulation or prohibition of the reduction of liquor by a licensed manufacturer or licensed vendor from a higher to a lower strength ;

(*iii*) the fixing of the strength, or price below which any excisable article shall not be sold, supplied or possessed ;

(*iv*) the prohibition of sale of any excisable article except for cash ;

(*v*) the fixing of the days and hours during which any licensed premises may or may not be kept open, and the closure of such premises on special occasions ;

(*vi*) the specification of the nature of the premises in which any excisable article may be sold, and the notices to be exposed at such premises ;

(*vii*) the form of the accounts to be maintained and the returns to be submitted by license-holders ; and

(*viii*) the prohibition or regulation of the transfer of licenses :

(*g*) (*i*) declaring the process by which spirit shall be denatured ;

(*ii*) for causing spirit to be denatured through the agency or under the supervision of its own officers ;

(*iii*) for ascertaining whether such spirit has been denatured :

(*h*) providing for the destruction or other disposal of any excisable article deemed to be unfit for use :

(*i*) regulating the disposal of confiscated articles :

(*j*) prescribing the amount of security to be deposited by holders of leases, licenses, permits or passes for the performance of the conditions of the same.

REFERENCES: Act XII of 1896.

Recovery of dues.

60. (1) The following monies, namely,—

(a) all excise revenue,

(b) any loss that may accrue, when in consequence of default a grant has been taken under management by the Collector or has been resold by him under section 38, and

(c) all amounts due to Government by any person on account of any contract relating to the excise revenue,

may be recovered from the person primarily liable to pay the same, or from his surety (if any), by distress and sale of his moveable property, or by any other process for the recovery of arrears of land revenue due from land-holders or from farmers of land or their sureties.

(2) When a grant has been taken under management by the Collector or has been resold by him under section 39, the Collector may recover, in any manner authorized by sub-section (1), any money due to the defaulter by any lessee or assignee.

(3) In the event of default by any person licensed or holding a lease under this Act all his distillery, brewery, warehouse or shop premises, fittings or apparatus and all stocks of excisable articles or materials for manufacture of the same held in or upon any distillery, brewery, warehouse, or shop premises shall be liable to be attached in satisfaction of any claim for excise revenue or in respect of losses incurred by Government through such default and to be sold to satisfy such claim, which shall be a first charge upon the sale-proceeds.

CHAPTER IX.

OFFENCES AND PENALTIES.

Penalty for unlawful import, export, transport, manufacture, possession, etc.

61. (1) Whoever, in contravention of any section of this Act or of any rule, notification issued or given thereunder or order made, or of any license, permit or pass granted under this Act—

(a) imports, exports, transports, manufactures, collects or possesses any excisable article; or

(b) constructs or works any distillery or brewery; or

(c) uses, keeps or has in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing any excisable article other than tari;

shall be punishable for every such offence with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both:

Provided that when any person is convicted under this section of any offence committed in respect to cocaine or any of the synthetics thereof, he shall be punishable for every such offence with imprisonment which may extend to one year or with fine which may extend to two thousand rupees, or with both;

References: Act XII of 1896.

Penalty for unlawful import, export, transport, manufacture, possession, sale, etc.

(2) Whoever, in contravention of any section other than sections 29 and 30 of this Act or of any rule, notification issued or given thereunder or order made, or of any license, permit or pass granted under this Act—

(a) sells any excisable article; or

(b) cultivates the hemp or coca plant; or

(c) removes any excisable article from any distillery, brewery or warehouse established or licensed under this Act; or

(d) bottles any liquor for the purposes of sale; or

(e) taps or draws tari from any tari-producing tree;

shall be punishable for every such offence with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees, or with both:

Provided that when any person is convicted under this section of any offence committed in respect to cocaine or any of the synthetics thereof, he shall be punishable for every such offence with imprisonment which may extend to one year or with fine which may extend to two thousand rupees, or with both.

Penalty for unlawfully selling to persons under eighteen, or employing children or women.

62. If any licensed vendor, or any person in his employ or acting on his behalf—

(a) in contravention of section 29 sells or delivers any spirit or intoxicating drug to any person apparently under the age of *eighteen* years; or

(b) in contravention of section 30, employs or permits to be employed on any part of his licensed premises referred to in that section any child or woman; or

(c) sells any excisable article to a person who is drunk or intoxicated; or

(d) permits drunkenness, intoxication, disorderly conduct or gaming on the premises of such licensed vendor; or

(e) permits any person whom he knows or has reason to believe to have been convicted of any non-bailable offence or any reputed prostitute to frequent his premises, whether for the purposes of crime or prostitution or not;

he shall in addition to any other penalty to which he may be liable be punishable with a fine which [m]ay extend to five hundred rupees.

REFERENCES: Act XII of 1896.

When any licensed vendor or any person in his employ or acting on his behalf is charged with permitting drunkenness or intoxication on the premises of such vendor, and it is proved that any person was drunk or intoxicated on such premises, it shall lie on the person charged to prove that the licensed vendor or the person employed by him or acting on his behalf took all reasonable steps for preventing drunkenness or intoxication on such premises.

Penalty for attempting to render denatured spirit fit for human consumption.

63. Whoever attempts to render fit for human consumption any spirit, whether manufactured in British India or not, which has been denatured, or has in his possession any spirit in respect of which he knows or has reason to believe that any such attempt has been made, shall be punished with imprisonment for a term which may extend to three months, or with fine, which may extend to one thousand rupees, or with both.

Penalty for fraud by licensed manufacturer or vendor or his servant.

64. If any licensed manufacturer or licensed vendor, or any person in his employ and acting on his behalf,—

(a) sells, or keeps or exposes for sale, as foreign liquor any liquor which he knows or has reason to believe to have been manufactured from rectified spirit or country liquor ; or

(b) marks any bottle, case, package or other receptacle containing liquor so manufactured from rectified spirit or country liquor, or the cork of any such bottle, or deals with any bottle, case, package or other receptacle containing such liquor with the intention of causing it to be believed that such bottle, case, package, or other receptacle contains foreign liquor,

he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

50 & 52.

Penalty for certain acts by licensee or his servant.

65. Whoever, being the holder of a license, permit or pass granted under this Act, or being in the employ of such holder and acting on his behalf,—

(a) fails wilfully to produce such license, permit or pass on the demand of any excise officer or of any other officer duly empowered to make such demand ; or

(b) in any case not provided for in section 61 wilfully contravenes any rule made under section 58 or section 59 ; or

(c) wilfully does or omits to do anything in breach of any of the conditions of the license, permit or pass not otherwise provided for in this Act ;

shall be punishable in case (a) with fine which may extend to two hundred rupees, and in case (b) or case (c) with fine which may extend to five hundred rupees.

Penalty for consumption in chemist's shop, etc.

66. (1) If any chemist, druggist, apothecary or keeper of a dispensary allows any excisable article which has not been *bonâ fide* medicated for medicinal purposes to be consumed on his business premises by any person not employed in his business, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to [one] thousand rupees, or with both.

(2) If any person not employed as aforesaid consumes any such excisable article on such premises, he shall be punishable with a fine which may extend to two hundred rupees.

Manufacture, sale or possession by one person on account of another.

67. (1) When any excisable article has been manufactured or sold or is possessed by any person on account of any other person, and such other person knows or has reason to believe that such manufacture or sale was, or that such possession is, on his account, the article shall for the purposes of this Act be deemed to have been manufactured or sold by or to be in the possession of such other person.

(2) Nothing in sub-section (1) shall absolve any person who manufactures, sells or has possession of an excisable article on account of another person from liability to any punishment under this Act for the unlawful manufacture, sale or possession of such article.

Penalty for offences not otherwise provided for.

68. Whoever is guilty of any act or intentional omission in contravention of any of the provisions of this Act, or of any rule, notification or order made, issued or given thereunder, and not otherwise provided for in this Act, shall be punishable for every such act or omission with a fine which may extend to two hundred rupees.

Attempt to commit offences punishable under the Act.

69. Whoever attempts to commit or abets any offence punishable under this Act shall be liable to the punishment provided for the offence.

Penalty for excise officer making vexatious search, etc.

70. If an excise officer—

(a) vexatiously and unnecessarily enters or searches, or causes to be entered or searched, any place under colour of exercising any power conferred by this Act ; or

(d) vexatiously and unnecessarily seizes the moveable property of any person on the pretence of seizing or searching for any article liable to confiscation under this Act ; or

(c) vexatiously and unnecessarily searches, arrests or detains any person ; or

(d) without lawful excuse ceases or refuses to perform or withdraws himself from the duties of his office unless expressly allowed to

do so in writing by the Collector or unless he shall have given to his immediate superior officer two months' notice in writing of his intention to do so;

he shall be liable to imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

Report by investigating officer for institution of proceedings.

71. If on an investigation by an excise officer, empowered under section 46, sub-section (1), it appears that there is sufficient evidence to justify the prosecution of the accused, the investigating officer, unless he proceeds under section 46, sub-section (2), or unless he submits the case for the orders of the Collector under section 80 shall submit a report (which shall for the purposes of section 190 of the Code of Criminal Procedure, 1898, be deemed to be a police-report) to a magistrate having jurisdiction to enquire into or try the case and empowered to take cognizance of offences on police-reports.

Offences to be bailable.

72. All offences punishable under this Act shall be bailable within the meaning of the Code of Criminal Procedure, 1898.

Security for appearance in case of arrest without warrant.

73. (1) The Local Government may empower any excise officer to grant bail, notwithstanding that such officer is not empowered under section 46.

(2) When a person is arrested under this Act, otherwise than on warrant, by a person or officer who is not empowered to grant bail, he shall be produced before or forwarded to—

(a) the nearest excise officer empowered to grant bail, or

(b) the nearest officer in charge of a police station,

whoever is nearer.

(3) Whenever any person arrested under this Act, otherwise than on a warrant, is prepared to give bail, and is arrested by, or produced in accordance with sub-section (2) before an officer empowered to grant bail, he shall be released upon bail, or, at the discretion of the officer releasing him, on his own bond.

(4) The provisions of sections 499 to 502, 513, 514 and 515 of the Code of Criminal Procedure, 1898, shall apply, so far as may be, in every case in which bail is accepted or a bond taken under this section.

Enhanced punishment after previous conviction.

74. If any person, after having been previously convicted of an offence punishable under section 61, section 62, section 63, section 64, or section 66 or under the similar provisions in any enactment repealed by this Act, subsequently commits and is convicted of an offence punishable under any of those sections, he shall be liable to twice the punishment which might be imposed on a first conviction under this Act:

Provided that nothing in this section shall prevent any offence which might otherwise have been tried summarily under chapter XXII of the Code of Criminal Procedure, 1898, from being so tried.

Cognizance of offences.

75. (1) No magistrate shall take cognizance of an offence punishable— 57

(a) under section 61 or section 66 except on his own knowledge or suspicion or on the complaint or report of an excise officer, or

(b) under section 62, section 63, section 64, section 65, section 68 or section 70, except on the complaint or report of the Collector or an excise officer authorised by him in that behalf.

(2) Except with the special sanction of the Local Government, no magistrate shall take cognizance of any offence punishable under this Act, unless the prosecution is instituted within a year after the date on which the offence is alleged to have been committed.

Presumption as to commission of offence in certain cases.

76. Whenever any person is found in possession of—

(a) any still, utensil, implement or apparatus whatsoever *or any part or parts thereof, such as are ordinarily used* for the manufacture of any excisable article other than tari,

(b) any materials which have undergone any process towards the manufacture of an excisable article or from which an excisable article has been manufactured,

it shall be presumed, until the contrary is proved, that his possession was in contravention of the provisions of this Act.

Liability of employer for offence committed by employé or agent.

77. The holder of a license, permit or pass under this Act as well as the actual offender, shall be liable to punishment, for any offence punishable under section 59, section 60, section 61, section 62 or section 63, committed by any person in his employ and acting on his behalf as if he had himself committed the same, unless he shall establish that all due and reasonable precautions were exercised by him to prevent the commission of such offence:

Provided that no person other than the actual offender shall be punished with imprisonment except in default of payment of fine.

REFERENCES: Act XII of 1896. 51

78. (*1*) Whenever an offence punishable under this Act has been committed,—

Confiscation of article in respect of which offence committed.

(*a*) every excisable article in respect of which such offence has been committed;

(*b*) every still, utensil, implement or apparatus and all materials in respect of or by means of which such offence has been committed;

(*c*) every excisable article lawfully imported, transported, manufactured, had in possession or sold along with, or in addition to, any excisable article liable to confiscation under clause (*a*);

(*d*) every receptacle, package and covering in which any excisable article, materials, still, utensil, implement or apparatus as aforesaid is or are found together with the other contents (if any) of such receptacle or package; and

(*e*) every animal, cart, vessel, raft or other conveyance used in carrying such receptacle, package covering or articles as aforesaid;

shall be liable to confiscation:

Provided that when it is proved that the receptacles, animals, on other articles specified in clauses (d) and (e) are not the property of offender, they shall not be liable to confiscation if the owner thereof establishes that he had no reason to believe that such offence was being or was likely to be committed.

(2) When in the trial of any offence punishable under this Act the magistrate decides that anything is liable to confiscation under sub-section (*1*), he may order confiscation:

When confiscation may be ordered.

Provided that in lieu of ordering confiscation he may give the owner of the thing liable to be confiscated an option to pay such fine as the magistrate thinks fit.

61 79. When there is reason to believe that an offence under this Act has been committed, but the offender is not known or cannot be found and when any thing liable to confiscation under this Act and not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by the Collector, who may order confiscation:

Further provisions for confiscation.

Provided that no such order shall be made until the expiration of one month from the date of seizing the thing or animal in question or without hearing the person (if any) claiming any right thereto, and the evidence (if any) which he produces in support of his claim: References Act XII of 1896

Provided, further, that if the thing in question is liable to speedy and natural decay, or if the Collector is of opinion that the sale of the thing or animal in question would be for the benefit of its owner, the Collector may at any time direct it to be sold; and the provisions of this section shall, so far as may be, apply to the net proceeds of such sale.

80. (*1*) The Collector may accept from any person who is reasonably suspected of having committed an offence punishable under section *62*, section 65 or section *68* of this Act a sum of money by way of composition for such offence; and on the payment of such sum of money to the Collector the accused person if in custody shall be discharged and no further proceedings shall be taken against him in respect of such offence.

Power of excise officers to compound offences.

(2) The cancellation or suspension of any license, permit or pass under section 36 (*a*), (*b*) or (*c*) of this Act may be foregone or revoked by and at the sole discretion of the authority having power to cancel or suspend it on payment by the holder of such license, permit or pass of such penalty as such authority may fix.

(*3*) Where any excisable article has been seized under the provisions of this Act, the Collector may, in his discretion, at any time before a Magistrate has passed an order under section *80*, sub-section (*2*), release it on payment of the value thereof.

SCHEDULE.

See section 2.

ENACTMENTS REPEALED.

Year.	Number.	Short title.	Extent of repeal.
		ACTS OF THE GOVERNOR-GENERAL IN COUNCIL.	
1863	XVI	The Excise (Spirits) Act, 1863.	The whole.
1894	VIII	The Indian Tariff Act, 1894.	Section 6.
1896	XII	The Excise Act, 1896.	The whole.
1906	VII	The Excise (Amendment) Act, 1906.	The whole.

S. W. GRACEY,

Secretary, Legislative Council.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, SEPTEMBER 19, 1913.

PART V.

Bills introduced into the Council of the Lieutenant-Governor of the Punjab for making Laws and Regulations, Reports of Select Committees presented to the Council, and Bills published under Rule 18 of the Rules for the Conduct of Business at Meetings of the Council.

PUNJAB GOVERNMENT.
LEGISLATIVE DEPARTMENT.

The following Report of the Select Committee on the Bill to consolidate and amend the Excise Law in the Punjab was presented to the Council of the Lieutenant-Governor of the Punjab for the purpose of making Laws and Regulations on the 19th September 1913:—

Report of the Select Committee on the Bill to consolidate and amend the Excise Law in the Punjab.

We, the undersigned Members of the Select Committee, do hereby submit our Report on the Bill to consolidate and amend the Excise Law in the Punjab.

Throughout the Report, unless the contrary is mentioned, we speak of the clauses as renumbered in the Bill as amended by us, but for convenience of reference the numbering of the clauses of the Bill as introduced is also shown in square brackets.

In clause 3 (1) we have made the definition of the term "beer" more precise by omitting the word "usually" in the phrase "liquors *usually* made from malt."

In clause 3 (2) the words "for the purpose of sale" in the definition of "to bottle" have been omitted, as they are not a necessary part of the definition.

In view of the wide meaning given to the term "transport" in clause 3 (21), we have introduced a saving clause in clause 18 [17] of the Bill, which will give power to provide by rule for moving liquor without a transport license where such exemption may be necessary or convenient, *e.g.*, from one place to another within the same tahsil.

Certain powers which in the opinion of the Select Committee should not be delegated have been excluded from the scope of clause 13 (*a*) [12 (*a*)].

In clause 29 [28] dealing with the prohibition of sale to young persons, we have raised the limit of age from sixteen to eighteen years.

To clause 35 [34] we have added a sub-clause providing that the Collector shall ascertain public opinion before licensing new premises for the retail sale of liquor. The Committee are of opinion that such a provision is not necessary or desirable in regard to shops already licensed.

In clause 45 [44] the words "or any police officer duly empowered" have, in view of clause 11, been considered unnecessary, and have been omitted.

We have restored section 43 of the present Act (*vide* clause 51).

In clause 46 [45] we have prescribed that no Excise Officer below the rank of Sub-Inspector may be empowered to investigate offences, and the power to stop without reference to a Magistrate an investigation once undertaken has been withdrawn.

In clause 54 [52] the power to order the closing of liquor shops in cases of riot or the like has been reserved to Magistrates.

In clause 58 [56] we have provided that, except in special cases, rules made by the Local Government shall be subject to previous publication.

In clause 69 [67] we have restored the provisions of the present Act in regard to abetment.

We have re-drafted clause 76 [74] in order to make the meaning more precise.

In the proviso to clause 78 (1) [76 (1)], relating to the confiscation of animals, vehicles and the like used in committing excise offences, we have adopted the provisions of the Eastern Bengal Excise Act.

We have also introduced one or two minor changes which do not call for special notice.

The Excise Bill was published in the *Punjab Gazette* of the 25th April 1913.

We are of opinion that the Bill has been so amended as to render republication desirable. The alterations necessary to give effect to our recommendations are indicated by italics in the Bill as reprinted.

SIMLA:
The 26th August 1913.

M. W. FENTON.
R. A. MANT.
SUNDAR SINGH, MAJITHIA.
*GAJJAN SINGH.
*KASHI RAM.
S. W. GRACEY.

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*NOTE OF DISSENT.

WE regret we are unable to agree with the other Hon'ble Members of the Select Committee on the limitations they have placed on the provisions of the Bill requiring the Collector to ascertain public opinion before licensing premises for the sale of excisable articles. In our opinion no reason or justification exists for limiting this provision to new shops or premises unlicensed in the previous year. The existing rules on the subject are general and apply to existing as well as new shops, and as it is conceded that the principle of the rules should be embodied in the Act of the Local Council, there seems to be no reason to curtail it in the manner now proposed. We think we should adopt the provisions of section 28 of the Eastern Bengal Excise Act, which is as follows:—

"Before licenses are granted in any year for the retail sale of excisable articles the Collector shall take such measures in accordance with rules to be made by the Local Government in this behalf as may best enable him to ascertain local public opinion in regard to the licensing and location of shops."

The other point on which we were obliged to differ relates to the extent of powers of search without warrant proposed to be conferred on Excise Officers by clause 49 (1).

In the first instance, there seems to be no great necessity for this provision in addition to clause 46 of the Bill which empowers the Local Government to invest Excise Officers with powers to investigate offences against Excise Law. And officers so empowered are to have all the powers of an officer in charge of a Police Station in cognizable cases under the provisions of Chapter XIV of the Code of Criminal Procedure. This chapter includes the power of search for all possible objects.

If it is intended to have these powers for officers other than investigating officers we would require that there should be some safeguards provided against the abuse of such powers as are provided in the case of investigating officers in the said chapter of the Code of Criminal Procedure or as are provided in the Excise Acts of other Provinces. We would therefore propose that the following proviso be added to this sub-section:—

"Provided that an Excise Officer other than a Collector taking action under this sub-section shall, before entering such place, record the grounds of his belief and send the same to the Collector or the Magistrate whoever is nearer."

SIMLA:
The 26th August 1913.

KASHI RAM.
GAJJAN SINGH.

PUNJAB EXCISE BILL.

CONTENTS.

Annexure to the Report of Select Committee.

(As amended by the Select Committee.)

BILL NO. 1 OF 1913.

A Bill to consolidate and amend the Excise Law in the Punjab.

WHEREAS it is expedient to consolidate and amend the law in the Punjab relating to the import, export, transport, manufacture, sale and possession of intoxicating liquor and of intoxicating drugs: It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY AND DEFINITIONS.

Short title. 1. (1) This Act may be called the Punjab Excise Act, 191 ; and

Extent. (2) It extends to the whole of the Punjab.

Commencement. (3) It shall come into force on such date as the Local Government may by notification direct.

Repeal of enactments. 2. The enactments mentioned in the schedule are repealed to the extent specified in the fourth column thereof.

Definitions. 3. In this Act, and the rules made under it unless there is something repugnant in the subject or context,—

"beer" (1) "beer" includes ale, porter, stout, and all other fermented liquors made from malt;

"bottle" (2) to "bottle" means to transfer liquor from a cask or other vessel to a bottle, jar, flask, or similar receptacle whether any process of manufacture be employed or not, and bottling includes re-bottling;

"Collector" (3) "Collector" includes any revenue officer in independent charge of a district and any official appointed by the Local Government to discharge, throughout any specified local area, the functions of a Collector under this Act;

"Commissioner" (4) "Commissioner" means the chief officer in charge of the revenue administration of a division;

"denatured" (5) "denatured" means effectually and permanently rendered unfit for human consumption;

"excisable article" (6) "excisable article" means and includes any liquor or intoxicating drug as defined by or under this Act;

"Excise Commissioner" (7) "Excise Commissioner" means the officer appointed by the Local Government under section 9; REFERENCES: Act XII of 1896.

"excise officer." (8) "excise officer" means any officer or person appointed, or invested with powers, under this Act; ...

"excise revenue" (9) "excise revenue" means revenue derived, or derivable from any payment, duty, fee, tax, confiscation or fine, imposed or ordered under the provisions of this Act, or of any other law for the time being in force relating to liquor or intoxicating drugs, but does not include a fine imposed by a court of law;

"export" (10) "export" means to take out of the Punjab; ...

"Financial Commissioner" (11) "Financial Commissioner" shall, when there are more Financial Commissioners than one, be construed as meaning one or more of the Financial Commissioners; 3 (1) (e)

"import" (12) "import" means to bring into the Punjab; ...

"intoxicating drug" (13) "intoxicating drug" includes— 3 (1) (f), as amended by Act VII. of 1906.

(a) *charas, bhang, ganja* and all other preparations of the hemp plant (*cannabis sativa*) as well as all portions of the said plant from which such preparations are made. The Local Government may, by notification, declare what shall be deemed to be *charas, bhang,* or *ganja*;

(b) cocaine and all other preparations or derivatives of the coca plant (*erythroxylon coca*) and all portions of the said plant from which such preparations are made;

(c) any other intoxicating drink or substance which the Local Government may by notification specify in this behalf;

(d) every preparation or admixture of any article mentioned in sub-sections (a), (b) and (c) above, but does not include opium or anything which is included in opium as defined in the Opium Act (I of 1878);

"liquor" (14) "liquor" means intoxicating liquor, and includes all liquid consisting of or con ...

REFERENCES: Act XII of 1896.

taining alcohol; also any substance which the Local Government may by notification declare to be liquor for the purposes of this Act;

3 (1) (d) (15) "magistrate" means any magistrate exercising powers not less than those of a magistrate of the second class, or any magistrate of the third class specially authorised in this behalf by the district magistrate;

"magistrate"

... (16) "manufacture" includes every process, whether natural or artificial, by which any excisable article is produced or prepared, and also redistillation and every process for the rectification, reduction, flavouring, blending or colouring of liquor;

"manufacture"

3 (1) (f) (17) "place" includes a building, shop, tent, enclosure, booth, vehicle, vessel, boat and raft;

"place"

... (18) expressions referring to "sale" include any transfer otherwise than by way of gift;

"sale"

3 (1) (i) (19) "spirit" means any liquor containing alcohol obtained by distillation, whether denatured or not;

"spirit"

3 (1) (g) (20) "tari" means fermented or unfermented juice drawn from any kind of palm tree;

"tari"

... (21) "transport" means to move from one place to another within the Punjab.

"transport"

3 (1) (2) 4. The Local Government may, with the previous sanction of the Governor-General in Council, by notification declare what, for the purposes of this Act or any portion thereof, shall be deemed to be "country liquor" and "foreign liquor."

"Country liquor" and "foreign liquor."

... 5. The Local Government may by notification declare with respect either to the whole of the Punjab or to any local area comprised therein, and as regards purchasers generally or any specified class of purchasers, and generally or for any specified occasion the maximum and minimum quantity or both of any excisable article which for the purposes of this Act may be sold by retail and by wholesale, respectively.

Power of Local Government to declare limit of sale by retail and by wholesale.

6. Where under this Act any notification is made, any power conferred, any appointment made, or any license, pass or permit granted, it shall be lawful to direct—

Power to limit application of notifications, permits, &c., made under this Act.

(a) that it shall apply to the whole of the Punjab or to any specified local area or areas;

(b) that it shall apply to all or any specified excisable article or articles or classes thereof;

(c) that it shall apply to all or any class or classes of persons or officers;

(d) that it shall be in force only for some special period or occasion.

7. Save as provided by the Schedule, nothing contained in this Act shall affect the provisions of the Sea Customs Act, 1878, the Cantonments Act, 1910, or the Indian Tariff Act, 1894, or any rule or order made thereunder.

Saving of enactments.

CHAPTER II.

ESTABLISHMENT AND CONTROL.

8. (a) Subject to the control of the Local Government and unless the Local Government shall by notification otherwise direct, the general superintendence and administration of all matters relating to excise shall vest in the Financial Commissioner.

Superintendence and control of the excise administration and excise officers.

(b) Subject to the general superintendence and control of the Financial Commissioner and unless the Local Government shall by notification otherwise direct, the Commissioner shall control all excise officers in his division.

(c) Subject as aforesaid and to the control of the Commissioner and unless the Local Government shall by notification otherwise direct, the Collector shall control all other excise officers in his district.

9. The Local Government may by notification appoint an Excise Commissioner and, subject to such conditions and restrictions as it may deem fit, may invest him with all or any of the powers conferred on the Financial Commissioner by this Act.

Excise Commissioner.

10. (a) There shall be such other classes of excise officers as the Local Government may by notification declare and the Local Government may appoint as many persons as it deems fit to be excise officers of these classes.

Other classes of excise officers.

(b) The Local Government shall by notification declare what powers under this Act shall be exercised by excise officers of each class.

Their powers.

(c) In conferring powers under this Act the Local Government may empower persons by name or in virtue of their office or classes of officials generally by their official titles.

Mode of conferring powers.

REFERENCES: XII of 1896. 44

Power to invest persons with special powers under this Act.

11. The Local Government may by notification invest any person, not being an excise officer, with power to perform all or any of the functions of an excise officer under this Act, and such person shall in the exercise of these functions be deemed to be an excise officer.

Local limits of jurisdiction.

12. The jurisdiction of the Financial Commissioner and of the Excise Commissioner shall extend to the Punjab, the jurisdiction of Commissioners shall extend to their divisions, and the jurisdiction of Collectors and other excise officers shall, unless the Local Government shall otherwise direct, extend to the districts in which they are for the time being employed.

Delegation.

13. (*a*) The Local Government may by notification delegate to the Financial Commissioner or Commissioner all or any of its powers under this Act, *except the powers conferred by sections 14 21, 22, 31, 56 and 58 of this Act.*

(*b*) The Local Government may by notification permit the delegation by the Financial Commissioner, Commissioner or Collector to any person or class of persons specified in such notification of any powers conferred by this Act or exercised in respect of excise revenue under any Act for the time being in force.

Appeal.

14. An appeal shall lie from an original or appellate order of an excise officer in such cases or classes of cases and to such authority as the Local Government shall by notification declare.

Revision.

15. (*a*) The Financial Commissioner may at any time revise any order passed by any excise officer subordinate to him.

(*b*) A Commissioner or Collector may call for the record of any case pending before, or disposed of by, any excise officer subordinate to him, and if he is of opinion that the proceedings taken or order made should be modified or reversed, he shall report the case with his opinion thereon for the orders of the Financial Commissioner:

Provided that the Financial Commissioner shall not under this section pass an order revising or modifying any proceeding or order of a subordinate excise officer and affecting any person without giving such person an opportunity of being heard.

CHAPTER III.

IMPORT, EXPORT AND TRANSPORT.

Import, export and transport of excisable articles.

16. No excisable article shall be imported, exported or transported except—

(*a*) after payment of any duty of customs or excise to which it may be liable, or execution of a bond for such payment, and

(*b*) in compliance with such conditions as the Local Government may impose.

REFERENCES: Act XII of 1896.

Power of Local Government to prohibit import, export and transport of excisable articles.

17. The Local Government may, by notification,—

(*a*) with the previous sanction of the Governor-General in Council, prohibit the import or export of any excisable article into or from the Punjab or any part thereof; or

(*b*) prohibit the transport of any excisable article.

Passes necessary for import, export and transport.

18. *Except as otherwise provided by any rule made under this Act*, no excisable article exceeding such quantity as the Local Government may prescribe by notification shall be imported, exported or transported except under a pass issued under the provisions of the next following section:

Provided that in the case of duty-paid foreign liquor such passes shall be dispensed with, unless the Local Government shall by notification otherwise direct:

Provided, further, that on such conditions as may be determined by the Financial Commissioner, a pass granted under the excise law in force in another province may be deemed to be a pass granted under this Act.

Grant of passes for import, export and transport.

19. Passes for the import, export or transport of excisable articles may be granted by the Collector:

Provided that passes for the import and export of such excisable articles as the Financial Commissioner may from time to time determine shall be granted only by the Financial Commissioner.

CHAPTER IV.

MANUFACTURE, POSSESSION AND SALE.

A.—Manufacture.

Manufacture of excisable articles prohibited except under the provisions of this Act.

20. (*1*) (*a*) No excisable article shall be manufactured or collected,

(*b*) no hemp plant or coca plant shall be cultivated,

(*c*) no tari-producing tree shall be tapped,

(*d*) no tari shall be drawn from any tree, and

(*e*) no person shall use, keep or have in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing any excisable article other than tari,

except under the authority and subject to the terms and conditions of a license granted in that behalf by the Collector.

(*2*) No distillery or brewery shall be constructed or worked except under the authority and subject to the terms and conditions of a license granted in that behalf by the Financial Commissioner under section 21.

REFERENCES: Act XII of 1896. ...

Establishment or licensing of distilleries.

21. The Financial Commissioner, subject to such restrictions or conditions as the Local Government may impose, may—

6 (*a*) establish a distillery in which spirit may be manufactured under a license granted under section *20*;

(*b*) discontinue any distillery so established;

(*c*) license the construction and working of a distillery or brewery;

(*d*) make rules regarding—

65 (*1*) the granting of licenses for distilleries, stills or breweries;

(*2*) the security to be deposited by the licensee of a distillery or brewery;

(*3*) the period for which the license shall be granted;

(*4*) the inspection and examination of such distillery or brewery and the warehouses connected therewith and of the spirit or fermented liquor made and stored therein;

(*5*) the management and working of the distillery or brewery;

(*6*) the form of accounts to be maintained and the returns to be submitted by the licensee;

(*7*) the up-keep of buildings and plant;

(*8*) the size and description of stills and other plant;

(*9*) the manufacture, storing and passing out of spirit, and the contents of passes;

(*10*) the prices to be charged;

(*11*) any other matters connected with the working of distilleries.

Establishment or licensing of warehouses.

14 *22.* The Financial Commissioner, subject to such restrictions or conditions as the Local Government may impose, may—

(*a*) establish or license a warehouse wherein any excisable article may be deposited and kept without payment of duty;

(*b*) discontinue any warehouse so established.

Removal of excisable article from distillery, etc.

15 *23.* No excisable article shall be removed from any distillery, brewery, warehouse, or other place of storage established or licensed under this Act, unless the duty (if any) imposed under section *31* has been paid or a bond has been executed for the payment thereof.

B.—Possession.

REFERENCES: Act XII of 1896, s. 2[illegible]

Possession of excisable articles.

24. (*1*) No person shall have in his possession any quantity of any excisable article in excess of such quantity as the Local Government has, under section 5, declared to be the limit of retail sale, except under the authority and in accordance with the terms and conditions of—

(*a*) a license for the manufacture, sale or supply of such article; or

(*b*) in the case of intoxicating drugs, a license for the cultivation or collection of the plants from which such drugs were produced; or

(*c*) a permit granted by the Collector in that behalf.

Exceptions.

(*2*) Sub-section (*1*) shall not apply to—

(*a*) any excisable article in the possession of any Excise Officer, common carrier or warehouseman as such; or

(*b*) any foreign liquor which has been purchased by any person for his *bonâ fide* private consumption.

(*3*) A licensed vendor shall not have in his possession at any place, other than that authorized by his license, any quantity of any excisable article in excess of such quantity as the Local Government has under section 5 declared to be the limit of sale by retail, except under a permit granted by the Collector in that behalf.

Prohibition and restriction of possession of excisable articles in certain cases.

(*4*) Notwithstanding anything contained in the foregoing sub-sections, the Local Government may by notification prohibit the possession of any excisable article, or restrict such possession by such conditions as it may prescribe. 5

Prohibition of possession of excisable article, unlawfully manufactured, imported, &c.

25. No person shall have in his possession any quantity of any excisable article, knowing the same to have been unlawfully imported, transported, manufactured, cultivated or collected, or knowing the prescribed duty not to have been paid thereon.

C.—Sale.

Sale of excisable articles.

26. No liquor shall be bottled for sale and no excisable article shall be sold, except under the authority and subject to the terms and conditions of a license granted in that behalf; provided that—

(*1*) a person licensed under section 20 to cultivate hemp or coca plant may sell without a license those portions of the plant from which any intoxicating drug can be manufactured to any person licensed under this Act to deal in the same or to any officer whom the Financial Commissioner may appoint in this behalf;

REFERENCES: XII of 1896.

(2) a person having the right to the tari drawn from any tree may sell the same without a license to a person licensed to manufacture or sell tari under this Act;

(3) on such conditions as the Financial Commissioner may determine a license for sale under the excise law for the time being in force in other parts of British India may be deemed to be a license granted in that behalf under this Act;

(4) nothing in this section applies to the sale of any foreign liquor lawfully procured by any person for his private use and sold by him or on his behalf or on behalf of his representatives in interest upon his quitting a station or after his decease.

Grant of lease of manufacture, etc.

27. (1) The Local Government may lease to any person, on such conditions and for such period as it may deem fit, the right,—

(i) of manufacturing or of supplying by wholesale, or of both, or

(ii) of selling by wholesale or by retail, or

(iii) of manufacturing or of supplying by wholesale, or of both, and of selling by retail,

any country liquor or intoxicating drug within any specified local area.

(2) The Collector shall grant to a lessee under sub-section (1) a license in the terms of his lease; and, when there is no condition in the lease which prohibits sub-letting, may, on the application of the lessee, grant a license to any sub-lessee approved by the Collector.

Manufacture and sale of liquor in military cantonments.

28. Within the limits of any military cantonment, and within such distance from those limits as the Local Government in any case may prescribe, no license for the manufacture or sale of liquor and no lease of the retail vend of liquor such as is described in section 27 shall be granted unless with the consent of the Commanding Officer.

Prohibition of sale to persons under the age of eighteen years.

29. No licensed vendor and no person in the employ of such vendor and acting on his behalf shall sell or deliver any spirit or intoxicating drug to any person apparently under the age of *eighteen* years whether for consumption by such person or by another person and whether for consumption on or off the premises of such vendor.

Prohibition of employment of children under the age of sixteen years and of women.

30. (1) No person who is licensed to sell foreign liquor or country spirit for consumption on his premises shall, during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any child under the age of sixteen years in any part of such premises in which such liquor or spirit is consumed by the public.

(2) No person who is licensed to sell foreign liquor or country spirit for consumption on his premises shall, without the previous permission in writing of the Collector, during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any woman in any part of such premises in which liquor is consumed by the public.

(3) Every permission granted under subsection (2) shall be endorsed on the license, and may be modified or withdrawn.

CHAPTER V.

DUTIES AND FEES.

Duty on excisable articles.

31. A duty, at such rate or rates as the Local Government shall direct, may be imposed, either generally or for any specified local area, on any excisable article— 7, 13, 32

(a) imported, exported or transported in accordance with the provisions of section 16; or

(b) manufactured or cultivated under any license granted under section 20; or

(c) manufactured in any distillery established, or any distillery or brewery licensed under section 21:

Provided as follows:—

(i) duty shall not be so imposed on any article which has been imported into British India and was liable on importation to duty under the Indian Tariff Act, 1894, or the Sea Customs Act, 1878; 8 India Act VIII of 1894. India Act VIII of 1878.

(ii) the duty on denatured spirit or beer manufactured in India, shall, unless the Local Government, with the previous sanction of the Governor-General in Council, otherwise directs, be equal to the duty to which denatured spirit or beer respectively imported into British India by sea is liable under the Indian Tariff Act, 1894, or any other law for India Act VIII of 1894.

REFERENCES: Act XII of 1896.

the time being in force relating to the duties or customs on goods imported into British India.

Explanation.—Duty may be imposed under this section at different rates according to the places to which any excisable article is to be removed for consumption, or according to the varying strengths and quality of such article.

Manner in which duty may be levied.

19 *32.* Subject to such rules regulating the time, place and manner as the Financial Commissioner may prescribe, such duty shall be levied rateably on the quantity of excisable article imported, exported, transported, collected or manufactured in, or issued from, a distillery, brewery or warehouse:

Provided that duty may be levied—

(*a*) on intoxicating drugs by an acreage rate levied on the cultivation of the hemp or coca plant, or by a rate charged on the quantity collected;

(*b*) on spirit or beer manufactured in any distillery established, or any distillery or brewery licensed, under this Act in accordance with such scale of equivalents calculated on the quantity of materials used, or by the degree of attenuation of the wash or wort, as the case may be, as the Local Government may prescribe;

(*c*) on tari, by a tax on each tree from which the tari is drawn:

Provided further that, where payment is made upon issue of an excisable article for sale from a warehouse established or licensed under section 22 (*a*), it shall be made—

(*a*) if the Local Government by notification so directs at the rate of duty which was in force at the date of import of that article, or

(*b*) in the absence of such direction by the Local Government, at the rate of duty which is in force on that article on the date when it is issued from the warehouse.

Payment for grant of leases.

33. Instead of or in addition to any duty leviable under this chapter the Local Government may accept payment of a sum in consideration of the lease of any right under section 27.

CHAPTER VI.—LICENSES, PERMITS AND PASSES.

REFERENCES: Act XII of 1896.

Fees for, terms, conditions and form of, and duration of, licenses, permits and passes.

34. (*1*) Every license, permit or pass granted under this Act shall be granted—

(*a*) on payment of such fees, if any,

(*b*) subject to such restrictions and on such conditions,

(*c*) in such form and containing such particulars, or

(*d*) for such period,

as the Financial Commissioner may direct.

Security.

(*2*) Any authority granting a license under this Act may require the licensee to give such security for the observance of the terms of his license, or to make such deposit in lieu of security, as such authority may think fit.

Grant of licenses for sale.

35. (*1*) Subject to the rules made by the Financial Commissioner under the powers conferred by this Act, the Collector may grant licenses for the sale of any excisable article within his district. 23

Ascertainment of public opinion.

(*2*) *Before any license is granted in any year for the retail sale of liquor for consumption on any premises which have not been so licensed in the preceding year, the Collector shall take such measures in accordance with rules to be made by the Local Government in this behalf, as may best enable him to ascertain local public opinion in regard to such premises.*

(*3*) A license for sale in more than one district of the Punjab shall be granted by the Financial Commissioner only.

Power to cancel or suspend licenses, etc.

36. Subject to such restrictions as the Local Government may prescribe, the authority granting any license, permit or pass under this Act may cancel or suspend it— 24

(*a*) if it is transferred or sublet by the holder thereof without the permission of the said authority; or

(*b*) if any duty or fee payable by the holder thereof be not duly paid; or

(*c*) in the event of any breach by the holder of such license, permit or pass or by his servants, or by any one acting on his behalf with his express or implied permission, of any of the terms or conditions of such license, permit or pass; or

(*d*) if the holder thereof is convicted of any offence punishable under this Act or any other law for the time being in force relating to revenue, or of any cognizable and non-bailable offence, or of any offence punishable under the Merchandise Marks Act, 1889, or of any offence punishable under sections 482 to 489 (both inclusive) of the Indian Penal Code; or

In the Act XLV of 1860.

(e) if the holder thereof is punished for any offence referred to in clause (8) of section 167 of the Sea Customs Act, 1878; or

(f) where a license, permit or pass has been granted on the application of the grantee of a lease under this Act, on the requisition in writing of such grantee; or

(g) at will, if the conditions of the license or permit provide for such cancellation or suspension.

Power to cancel any other license.

37. When a license, permit or pass held by any person is cancelled under sub-clause (a), (b), (c), (d or (e) of section 36 the authority aforesaid may cancel any other license, permit or pass granted to such person within the same district under this Act or under any other law for the time being in force relating to excise revenue or under the Opium Act, 1878, and the Financial Commissioner may cancel any such license, permit or pass granted to such person in any district to which this Act applies.

Power to recover fee.

38. In the case of cancellation or suspension of a license under sub-clause (a), (b), (c), (d) or (e) of section 36, the fee payable for the balance of the period for which any license would have been current but for such cancellation or suspension, may be recovered from the ex-licensee as excise revenue.

Power of Collector to take grants under management or to resell.

39. If any holder of a license granted under this Act, or any person to whom a lease has been granted under section 27, makes default in complying with any condition imposed upon him by such license or lease, the Collector may take the grant under management at the risk of the person who has so defaulted or may resell it and recover in the manner laid down in section 60 of this Act any deficiency in price and all expenses of such re-sale.

No compensation or refund claimable for cancellation or suspension of license, etc., under this section.

40. When a license, permit or pass is cancelled or suspended under sub-clause (a), (b), (c), (d) or (e) of section 36 or under section 37, the holder shall not be entitled to any compensation for its cancellation or suspension nor to the refund of any fee paid or deposit made in respect thereof.

Power to withdraw licenses.

41. (1) Whenever the authority which granted a license, permit or pass under this Act considers that such license, permit or pass should be withdrawn for any cause other than those specified in section 36, it may, on remitting a sum equal to the amount of the fees payable in respect thereof for fifteen days, withdraw the license either—

Reference: Act XII of 1896.

(a) on the expiration of fifteen days' notice in writing of its intention to do so, or

(b) forthwith without notice.

Compensation in the case of withdrawal.

(2) If any license, permit, or pass be withdrawn under clause (b) of sub-section (1), in addition to the sum remitted as aforesaid, there shall be paid to the licensee such further sum (if any) by way of compensation as the Financial Commissioner may direct.

Refund of fee or deposit.

(3) When a license, permit or pass is withdrawn under this section, any fee paid in advance or deposit made by the licensee in respect thereof shall be refunded to him, after deducting the amount (if any) due to Government.

Technical irregularities in license, etc.

42. (1) No license, permit or pass granted under this Act shall be deemed to be invalid by reason merely of any technical defect, irregularity or omission in the license or in any proceedings taken prior to the grant thereof.

(2) The decision of the Financial Commissioner as to what is a technical defect, irregularity or omission shall be final.

No claim in consequence of refusal to renew a license, etc.

43. No person to whom a license, permit or pass may have been granted shall be entitled to claim any renewal thereof, and no claim shall lie for damages or otherwise in consequence of any refusal to renew a license, permit or pass on the expiry of the period for which it remains in force.

Surrender of license.

44. (1) No holder of a license granted under this Act to sell an excisable article shall surrender his license except on the expiration of one month's notice in writing given by him to the Collector of his intention to surrender the same and on payment of the fee payable for the license for the whole period for which it would have been current but for the surrender:

Provided that, if the Collector is satisfied that there is sufficient reason for surrendering the license, he may remit to the holder thereof the sum so payable on surrender or any portion thereof.

(2) Sub-section (1) shall not apply in the case of any license granted under section 27 (2).

Explanation.—The words "holder of a license" as used in this section include a person whose tender or bid for a license has been accepted, although he may not actually have received the license.

References: Act XII of 1896.

CHAPTER VII.

Powers and Duties of Officers, etc.

35 *45.* Any excise officers not below such rank as the Local Government may prescribe may—

Power to enter and inspect places of manufacture and sale.

(*a*) enter and inspect, at any time by day or by night, any place in which any licensed manufacturer carries on the manufacture of or stores any excisable article;

(*b*) enter and inspect, at any time within the hours during which sale is permitted, and at any other time during which the same may be open, any place in which any excisable article is kept for sale by any person holding a license under this Act;

(*c*) examine accounts and registers, test, measure or weigh any materials, stills, utensils, implements, apparatus or excisable article found in that place;

(*d*) seize any accounts, registers, measures, weights or testing instruments which he has reason to believe to be false.

... *46.* (*1*) The Local Government may by notification invest any excise officer, not below *the rank of sub-inspector*, with power to investigate any offence punishable under this Act committed within the limits of the area in which the officer exercises jurisdiction.

Powers of excise officers to investigate offences punishable under this Act.

(*2*) Every officer so empowered may within those limits exercise the same powers in respect of such investigation as an officer in charge of a police station may exercise in a cognizable case under the provisions of chapter XIV of the Code of Criminal Procedure, 1898. India Act V of 1898.

36, 37 *47.* Any officer of the excise, police, salt, or land revenue departments, not below such rank and subject to such restrictions as the Local Government may prescribe, and any other person duly empowered by notification by the Local Government in this behalf, may arrest without warrant any person found committing an offence punishable under section *61*, or section *63*; and may seize and detain any excisable or other article which he has reason to believe to be liable to confiscation under this Act or other law for the time being in force relating to excise revenue: and may detain and search any person upon whom, and any vessel, raft, vehicle, animal, package, receptacle or covering in or upon which he may have reasonable cause to suspect any such article to be.

Powers of arrest, seizure and detention.

48. A magistrate having reason to believe that an offence under section 61 or 63 has been, is being, or is likely to be committed, may—

Power of magistrate to issue warrant for search or arrest

(*a*) issue a warrant for the search of any place in which he has reason to believe that any excisable article, still, utensil, implement, apparatus or materials, in respect of which such offence has been, is being, or is likely to be committed, are kept or concealed; and

(*b*) issue a warrant for the arrest of any person whom he has reason to believe to have been, to be or to be likely to be engaged in the commission of any such offence.

49. (*1*) Whenever any excise officer not below such rank as the Local Government may by notification prescribe, has reason to believe that an offence punishable under section 61, section 62, section 63, or section 64, has been, is being, or is likely to be committed in any place, and that a search-warrant cannot be obtained without affording the offender an opportunity of escape or of concealing evidence of the offence, he may, at any time, by day or night, enter and search such place.

Power of excise officer to search without warrant.

(2) Every excise officer as aforesaid may seize anything found in such place which he has reason to believe to be liable to confiscation under this Act, and may detain and search and, if he thinks proper, arrest any person found in such place whom he has reason to believe to be guilty of such offence as aforesaid.

Further powers of seizure, detention, search and arrest.

50. Save as in this Act otherwise expressly provided, the provisions of the Code of Criminal Procedure, 1898, relating to arrests, detentions in custody, searches, summonses, warrants of arrest, search-warrants, production of persons arrested and investigation of offence shall be held to be applicable to all action taken in these respects under this Act:

Procedure relating to arrests, searches, etc,

Provided that—

(1) any offence under this Act may be investigated by an officer empowered under section *46* without the order of a magistrate;

(2) whenever an excise officer below the rank of Collector makes any arrest, seizure or search he shall within twenty-four hours thereafter make a full report of all the particulars of the arrest, seizure or search to his immediate official superior, and shall, unless bail be accepted under section 73, take or send the person arrested, or the article seized, with all convenient despatch to a magistrate for trial or adjudication.

[illegible] Act XII of 1896.

51. All Police officers are required to aid the Excise officers in the due execution of this Act, upon request made by such excise officers.

Police to aid Excise officers.

52. (*a*) Every owner or occupier of land and the agent of any such owner or occupier of land on which—

Duty of landholders and officers to give information.

(*b*) Every lambardar, village headman, village accountant, village watchman, village policeman and every officer employed in the collection of revenue or rent of land on the part of Government or the Court of Wards in whose village—

there shall be any manufacture or illegal import or collection of any excisable article not licensed under this Act, or any unlawful cultivation of any plants from which an intoxicating drug can be produced, shall be bound, in the absence of reasonable excuse, to give notice of the same to a magistrate or to an officer of the excise, police or land revenue department as soon as the fact comes to his knowledge.

53. Every officer in charge of a police station shall take charge of and keep in safe custody, pending the orders of a magistrate or of the Collector, or of an officer empowered under section *46* (1) to investigate the case, all articles seized under this Act which may be delivered to him, and shall allow any excise officer who may accompany such articles to the police station, or may be deputed for the purpose by his superior officer to affix his seal to the articles and to take samples of and from them. All samples so taken shall also be sealed with the seal of the officer in charge of the police station.

Duty of officer in charge of police station to take charge of articles seized.

54. (*1*) The District Magistrate or a Sub-Divisional Magistrate by notice in writing to the licensee may require that any shop in which any excisable article is sold shall be closed at such times or for such period as he may think necessary for the preservation of the public peace.

Power to close shops for the sake of public peace.

(*2*) If a riot or unlawful assembly is apprehended or occurs in the vicinity of any such shop, a magistrate of any class, may require such shop to be kept closed for such period as he may think necessary :

Provided that where any such riot or unlawful assembly occurs the licensee shall, in the absence of *a* magistrate, close his shop without any order.

(*3*) When any Sub-Divisional Magistrate makes a direction under sub-section (*1*) or any magistrate makes a direction under sub-section (*2*), he shall forthwith inform the Collector of his action and his reasons therefor.

CHAPTER VIII.

GENERAL PROVISIONS.

Reference Act XII of 1896.

55. Every person who manufactures or sells any excisable article under a license granted under this Act shall be bound—

Measures, weights and testing instruments.

(*a*) to supply himself with such measures, weights and instruments as the Financial Commissioner may prescribe, and to keep the same in good condition ; and

(*b*) on the requisition of any excise officer duly empowered by the Collector in that behalf, at any time to measure, weigh or test any excisable article in his possession in such manner as the said excise officer may require.

56. The Local Government may, by notification, either wholly or partially and subject to such conditions as it may think fit to prescribe, exempt any excisable article from all or any of the provisions of this Act.

Power of Local Government to exempt excisable articles from the provisions of the Act.

57. No suit shall lie in any civil court against the Secretary of State for India in Council or any officer or person for damages for any act in good faith done, or ordered to be done, in pursuance of this Act or of any other law for the time being in force relating to the excise revenue.

Bar of certain suits.

58. (*1*) The Local Government may, by notification, make rules for the purpose of carrying out the provisions of this Act or any other law for the time being in force relating to excise revenue. 19

Power of Local Government to make rules.

(*2*) In particular, and without prejudice to the generality of the foregoing provision, the Local Government may make rules—

(*a*) prescribing the duties of excise officers ;

(*b*) regulating the delegation of any powers by the Financial Commissioner, Commissioner or Collector, under section *13*, clause (*b*) ;

(*c*) prescribing the time and manner of presenting, and the procedure for dealing with appeals from orders of excise officers ;

(*d*) regulating the import, export, transport or possession of any excisable article ;

(*e*) regulating the periods and localities for which, and the persons, or classes of persons, to whom, licenses, permits and passes for the vend by wholesale or by retail of any excisable article may be granted and regulating the number of such licenses which may be granted in any local area ;

REFERENCES: Act XII of 1896.

(*f*) *prescribing the procedure to be followed and the matters to be ascertained before any license for the retail vend of liquor for consumption on the premises ;*

(*g*) for the prohibition of the sale of any excisable article to any person or class of persons ;

(*h*) regulating the power of excise officers to summon witnesses from a distance ;

(*i*) regulating the grant of expenses to witnesses and *compensation* to persons charged with offences under this Act and subsequently released, discharged or acquitted ;

(*j*) for the prohibition of the employment by a license-holder of any person or class of persons to assist in his business in any capacity whatsoever ;

(*k*) for the prevention of drunkenness, gambling or disorderly conduct in or near any licensed premises, and the meeting or remaining of persons of bad character in such premises.

Previous publication of rules.

(3) The powers conferred by this section for making rules is subject to the condition that the rules be made after previous publication :

Provided that any such rules may be made without previous publication if the Local Government considers that they should be brought into force at once.

65 59. The Financial Commissioner may, by notification, make rules—

Power of Financial Commissioner to make rules.

(*a*) regulating the manufacture, supply, storage or sale of any excisable article, including—

(*i*) the character, erection, alteration, repair, inspection, supervision, management and control of any place for the manufacture, supply, storage or sale of such article and the fittings, implements, apparatus and registers to be maintained therein ;

(*ii*) the cultivation of the hemp or coca plant and the collection of spontaneous growth of such plant and the preparation of any intoxicating drug ;

(*iii*) the tapping or drawing of tari from any tari-producing tree :

(*b*) regulating the bottling of liquor for purposes of sale :

(*c*) regulating the deposit of any excisable article in a warehouse and the removal of any excisable article from any warehouse or from any distillery or brewery :

(*d*) prescribing the scale of fees or the manner of fixing the fees payable in respect of any license, permit or pass, or in respect of the storing of any excisable article :

REFERENCES: Act XII of 1896.

(*e*) regulating the time, place and manner of payment of any duty or fee :

(*f*) prescribing the authority by, the restrictions under and the conditions on, which any license, permit or pass may be granted, including provision for the following matters :—

(*i*) the prohibition of the admixture with any excisable article of any substance deemed to be noxious or objectionable ;

(*ii*) the regulation or prohibition of the reduction of liquor by a licensed manufacturer or licensed vendor from a higher to a lower strength ;

(*iii*) the fixing of the strength, or price below which any excisable article shall not be sold, supplied or possessed ;

(*iv*) the prohibition of sale of any excisable article except for cash;

(*v*) the fixing of the days and hours during which any licensed premises may or may not be kept open, and the closure of such premises on special occasions ;

(*vi*) the specification of the nature of the premises in which any excisable article may be sold, and the notices to be exposed at such premises ;

(*vii*) the form of the accounts to be maintained and the returns to be submitted by license-holders ; and

(*viii*) the prohibition or regulation of the transfer of licenses :

(*g*) (*i*) declaring the process by which spirit shall be denatured ;

(*ii*) for causing spirit to be denatured through the agency or under the supervision of its own officers ;

(*iii*) for ascertaining whether such spirit has been denatured :

(*h*) providing for the destruction or other disposal of any excisable article deemed to be unfit for use :

(*i*) regulating the disposal of confiscated articles :

(*j*) prescribing the amount of security to be deposited by holders of leases, licenses, permits or passes for the performance of the conditions of the same.

Recovery of dues.

60. (*1*) The following monies, namely,—

(*a*) all excise revenue,

(*b*) any loss that may accrue, when in consequence of default a grant has been taken under management by the Collector or has been resold by him under section 38, and

(*c*) all amounts due to Government by any person on account of any contract relating to the excise revenue,

may be recovered from the person primarily liable to pay the same, or from his surety (if any), by distress and sale of his moveable property, or by any other process for the recovery of arrears of land revenue due from land-holders or from farmers of land or their sureties.

(*2*) When a grant has been taken under management by the Collector or has been resold by him under section *39*, the Collector may recover, in any manner authorized by sub-section (*1*), any money due to the defaulter by any lessee or assignee.

(*3*) In the event of default by any person licensed or holding a lease under this Act all his distillery, brewery, warehouse or shop premises, fittings or apparatus and all stocks of excisable articles or materials for manufacture of the same held in or upon any distillery, brewery, warehouse or shop premises shall be liable to be attached in satisfaction of any claim for excise revenue or in respect of losses incurred by Government through such default and to be sold to satisfy such claim, which shall be a first charge upon the sale-proceeds.

CHAPTER IX.

Offences and Penalties.

Penalty for unlawful import, export, transport, manufacture, possession, etc.

61. (*1*) Whoever, in contravention of any section of this Act or of any rule, notification issued or given thereunder or order made, or of any license, permit or pass granted under this Act—

(*a*) imports, exports, transports, manufactures, collects or possesses any excisable article; or

(*b*) constructs or works any distillery or brewery; or

(*c*) uses, keeps or has in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing any excisable article other than tari;

shall be punishable for every such offence with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both:

Provided that when any person is convicted under this section of any offence committed in respect to cocaine or any of the synthetics thereof, he shall be punishable for every such offence with imprisonment which may extend to one year or with fine which may extend to two thousand rupees, or with both;

Penalty for unlawful import, export, transport, manufacture, possession, sale, etc.

(*2*) Whoever, in contravention of any section other than sections *29* and *30* of this Act or of any rule, notification issued or given thereunder or order made, or of any license, permit or pass granted under this Act—

(*a*) sells any excisable article; or

(*b*) cultivates the hemp or coca plant; or

(*c*) removes any excisable article from any distillery, brewery or warehouse established or licensed under this Act; or

(*d*) bottles any liquor for the purposes of sale; or

(*e*) taps or draws tari from any tari-producing tree;

shall be punishable for every such offence with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees, or with both:

Provided that when any person is convicted under this section of any offence committed in respect to cocaine or any of the synthetics thereof, he shall be punishable for every such offence with imprisonment which may extend to one year or with fine which may extend to two thousand rupees, or with both.

Penalty for unlawfully selling to persons under eighteen, or employing children or women.

62. If any licensed vendor, or any person in his employ or acting on his behalf—

(*a*) in contravention of section *29* sells or delivers any spirit or intoxicating drug to any person apparently under the age of *eighteen* years; or

(*b*) in contravention of section *30*, employs or permits to be employed on any part of his licensed premises referred to in that section any child or woman; or

(*c*) sells any excisable article to a person who is drunk or intoxicated; or

(*d*) permits drunkenness, intoxication, disorderly conduct or gaming on the premises of such licensed vendor; or

(*e*) permits any person whom he knows or has reason to believe to have been convicted of any non-bailable offence or any reputed prostitute to frequent his premises, whether for the purposes of crime or prostitution or not;

he shall in addition to any other penalty to which he may be liable be punishable with a fine which may extend to five hundred rupees.

REFERENCES: Act XII of 1896.

When any licensed vendor or any person in his employ or acting on his behalf is charged with permitting drunkenness or intoxication on the premises of such vendor, and it is proved that any person was drunk or intoxicated on such premises, it shall lie on the person charged to prove that the licensed vendor or the person employed by him or acting on his behalf took all reasonable steps for preventing drunkenness or intoxication on such premises.

Penalty for attempting to render denatured spirit fit for human consumption.

63. Whoever attempts to render fit for human consumption any spirit, whether manufactured in British India or not, which has been denatured, or has in his possession any spirit in respect of which he knows or has reason to believe that any such attempt has been made, shall be punished with imprisonment for a term which may extend to three months, or with fine, which may extend to one thousand rupees, or with both.

Penalty for fraud by licensed manufacturer or vendor or his servant.

64. If any licensed manufacturer or licensed vendor, or any person in his employ and acting on his behalf,—

(*a*) sells, or keeps or exposes for sale, as foreign liquor any liquor which he knows or has reason to believe to have been manufactured from rectified spirit or country liquor ; or

(*b*) marks any bottle, case, package or other receptacle containing liquor so manufactured from rectified spirit or country liquor, or the cork of any such bottle, or deals with any bottle, case, package or other receptacle containing such liquor with the intention of causing it to be believed that such bottle, case, package, or other receptacle contains foreign liquor,

he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

50 & 52.

Penalty for certain acts by licensee or his servant.

65. Whoever, being the holder of a license, permit or pass granted under this Act, or being in the employ of such holder and acting on his behalf,—

(*a*) fails wilfully to produce such license, permit or pass on the demand of any excise officer or of any other officer duly empowered to make such demand ; or

(*b*) in any case not provided for in section *61* wilfully contravenes any rule made under section *58* or section *59* ; or

(*c*) wilfully does or omits to do anything in breach of any of the conditions of the license, permit or pass not otherwise provided for in this Act ;

shall be punishable in case (*a*) with fine which may extend to two hundred rupees, and in case (*b*) or case (*c*) with fine which may extend to five hundred rupees.

Penalty for consumption in chemist's shop, etc.

References: Act XII of 1896.

66. (*1*) If any chemist, druggist, apothecary or keeper of a dispensary allows any excisable article which has not been *bonâ fide* medicated for medicinal purposes to be consumed on his business premises by any person not employed in his business, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

(*2*) If any person not employed as aforesaid consumes any such excisable article on such premises, he shall be punishable with a fine which may extend to two hundred rupees.

Manufacture, sale or possession by one person on account of another.

67. (*1*) When any excisable article has been manufactured or sold or is possessed by any person on account of any other person, and such other person knows or has reason to believe that such manufacture or sale was, or that such possession is, on his account, the article shall for the purposes of this Act be deemed to have been manufactured or sold by or to be in the possession of such other person.

(*2*) Nothing in sub-section (*1*) shall absolve any person who manufactures, sells or has possession of an excisable article on account of another person from liability to any punishment under this Act for the unlawful manufacture, sale or possession of such article.

Penalty for offences not otherwise provided for.

68. Whoever is guilty of any act or intentional omission in contravention of any of the provisions of this Act, or of any rule, notification or order made, issued or given thereunder, and not otherwise provided for in this Act, shall be punishable for every such act or omission with a fine which may extend to two hundred rupees.

Attempt to commit offences punishable under the Act.

69. Whoever attempts to commit *or abets* any offence punishable under this Act shall be liable to the punishment provided for the offence.

Penalty for excise officer making vexatious search, etc.

70. If an excise officer—

(*a*) vexatiously and unnecessarily enters or searches, or causes to be entered or searched, any place under colour of exercising any power conferred by this Act ; or

(*d*) vexatiously and unnecessarily seizes the moveable property of any person on the pretence of seizing or searching for any article liable to confiscation under this Act ; or

(*c*) vexatiously and unnecessarily searches, arrests or detains any person ; or

(*d*) without lawful excuse ceases or refuses to perform or withdraws himself from the duties of his office unless expressly allowed to

do so in writing by the Collector or unless he shall have given to his immediate superior officer two months' notice in writing of his intention to do so;

he shall be liable to imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

Report by investigating officer for institution of proceedings.

71. If on an investigation by an excise officer, empowered under section *46*, sub-section (*1*), it appears that there is sufficient evidence to justify the prosecution of the accused, the investigating officer, unless he proceeds under section *46*, sub-section (*2*), or unless he submits the case for the orders of the Collector under section *80* shall submit a report (which shall for the purposes of section 190 of the Code of Criminal Procedure, 1898, be deemed to be a police-report) to a magistrate having jurisdiction to enquire into or try the case and empowered to take cognizance of offences on police-reports.

Offences to be bailable.

72. All offences punishable under this Act shall be bailable within the meaning of the Code of Criminal Procedure, 1898.

Security for appearance in case of arrest without warrant.

73. (*1*) The Local Government may empower any excise officer to grant bail, notwithstanding that such officer is not empowered under section *46*.

(*2*) When a person is arrested under this Act, otherwise than on warrant, by a person or officer who is not empowered to grant bail, he shall be produced before or forwarded to—

(*a*) the nearest excise officer empowered to grant bail, or

(*b*) the nearest officer in charge of a police station,

whoever is nearer.

(*3*) Whenever any person arrested under this Act, otherwise than on a warrant, is prepared to give bail, and is arrested by, or produced in accordance with sub-section (*2*) before an officer empowered to grant bail, he shall be released upon bail, or, at the discretion of the officer releasing him, on his own bond.

(*4*) The provisions of sections 499 to 502, 513, 514 and 515 of the Code of Criminal Procedure, 1898, shall apply, so far as may be, in every case in which bail is accepted or a bond taken under this section.

Enhanced punishment after previous conviction.

74. If any person, after having been previously convicted of an offence punishable under section *61*, section *62*, section *63*, section *64*, or section *66* or under the similar provisions in any enactment repealed by this Act, subsequently commits and is convicted of an offence punishable under any of those sections, he shall be liable to twice the punishment which might be imposed on a first conviction under this Act:

Provided that nothing in this section shall prevent any offence which might otherwise have been tried summarily under chapter XXII of the Code of Criminal Procedure, 1898, from being so tried.

Cognizance of offences.

75. (*1*) No magistrate shall take cognizance of an offence punishable—

(*a*) under section *61* or section *66* except on his own knowledge or suspicion or on the complaint or report of an excise officer, or

(*b*) under section *62*, section *63*, section *64*, section *65*, section *68* or section *70*, except on the complaint or report of the Collector or an excise officer authorised by him in that behalf.

(*2*) Except with the special sanction of the Local Government, no magistrate shall take cognizance of any offence punishable under this Act, unless the prosecution is instituted within a year after the date on which the offence is alleged to have been committed.

Presumption as to commission of offence in certain cases.

76. Whenever any person is found in possession of—

(*a*) any still, utensil, implement or apparatus whatsoever *or any part or parts thereof, such as are ordinarily used* for the manufacture of any excisable article other than tari,

(*b*) any materials which have undergone any process towards the manufacture of an excisable article or from which an excisable article has been manufactured,

it shall be presumed, until the contrary is proved, that his possession was in contravention of the provisions of this Act.

Liability of employer for offence committed by employé or agent.

77. The holder of a license, permit or pass under this Act as well as the actual offender, shall be liable to punishment, for any offence punishable under section 59, section 60, section 61, section 62 or section 63, committed by any person in his employ and acting on his behalf as if he had himself committed the same, unless he shall establish that all due and reasonable precautions were exercised by him to prevent the commission of such offence:

Provided that no person other than the actual offender shall be punished with imprisonment except in default of payment of fine.

REFERENCES: Act XII of 1896. 51

Confiscation of article in respect of which offence committed.

78. (1) Whenever an offence punishable under this Act has been committed,—

(a) every excisable article in respect of which such offence has been committed;

(b) every still, utensil, implement or apparatus and all materials in respect of or by means of which such offence has been committed;

(c) every excisable article lawfully imported, transported, manufactured, had in possession or sold along with, or in addition to, any excisable article liable to confiscation under clause (a);

(d) every receptacle, package and covering in which any excisable article, materials, still, utensil, implement or apparatus as aforesaid is or are found together with the other contents (if any) of such receptacle or package; and

(e) every animal, cart, vessel, raft or other conveyance used in carrying such receptacle, package covering or articles as aforesaid;

shall be liable to confiscation:

Provided that when it is proved that the receptacles, animals, on other articles specified in clauses (d) and (e) are not the property of offender, they shall not be liable to confiscation if the owner thereof establishes that he had no reason to believe that such offence was being or was likely to be committed.

When confiscation may be ordered.

(2) When in the trial of any offence punishable under this Act the magistrate decides that anything is liable to confiscation under sub-section (1), he may order confiscation:

Provided that in lieu of ordering confiscation he may give the owner of the thing liable to be confiscated an option to pay such fine as the magistrate thinks fit.

Further provisions for confiscation.

61 79. When there is reason to believe that an offence under this Act has been committed, but the offender is not known or cannot be found and when any thing liable to confiscation under this Act and not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by the Collector, who may order confiscation:

Provided that no such order shall be made until the expiration of one month from the date of seizing the thing or animal in question or without hearing the person (if any) claiming any right thereto, and the evidence (if any) which he produces in support of his claim:

Provided, further, that if the thing in question is liable to speedy and natural decay, or if the Collector is of opinion that the sale of the thing or animal in question would be for the benefit of its owner, the Collector may at any time direct it to be sold; and the provisions of this section shall, so far as may be, apply to the net proceeds of such sale.

Power of excise officers to compound offences.

80. (1) The Collector may accept from any person who is reasonably suspected of having committed an offence punishable under section 62, section 65 or section 68 of this Act a sum of money by way of composition for such offence; and on the payment of such sum of money to the Collector the accused person if in custody shall be discharged and no further proceedings shall be taken against him in respect of such offence.

(2) The cancellation or suspension of any license, permit or pass under section 36 (a), (b) or (c) of this Act may be foregone or revoked by and at the sole discretion of the authority having power to cancel or suspend it on payment by the holder of such license, permit or pass of such penalty as such authority may fix.

(3) Where any excisable article has been seized under the provisions of this Act, the Collector may, in his discretion, at any time before a Magistrate has passed an order under section 80, sub-section (2), release it on payment of the value thereof.

SCHEDULE.

(*See section* 2.)

ENACTMENTS REPEALED.

Year.	Number.	Short title.	Extent of repeal.
		ACTS OF THE GOVERNOR-GENERAL IN COUNCIL.	
1863	XVI	The Excise (Spirits) Act, 1863.	The whole.
1894	VIII	The Indian Tariff Act, 1894.	Section 6.
1896	XII	The Excise Act, 1896.	The whole.
1906	VII	The Excise (Amendment) Act, 1906.	The whole.

S. W. GRACEY,

Secretary, Legislative Council.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Lieutenant-Governor of the Punjab for the purpose of making Laws and Regulations on the 19th September 1913 :—

BILL No. 2 OF 1913.

A Bill to extend the Law relating to Fisheries in the Punjab.

WHEREAS it is expedient to extend the Law relating to Fisheries in the Punjab;

It is hereby enacted as follows :—

Title. 1. (1) This Act may be called The Punjab Fisheries Act, 19 .

Extent. (2) It extends to the whole of the Punjab.

Meaning of terms. India Act IV of 1897. 2. In this Act and the Rules thereunder unless there is something repugnant in the subject or context, the expressions "fish" and "private water" shall have the meanings assigned to them in section 3 of the Indian Fisheries Act, 1897.

Prohibition and licensing of fishing in selected waters by rules of Local Government. 3. (1) The Local Government may make rules for the purposes hereinafter in this section mentioned, and may by notification in the official Gazette apply all or any of such rules to such waters, not being private waters, as the Local Government may specify in the said notification.

(2) The Local Government may by a like notification apply such rules or any of them to any private water with the consent in writing of the owner thereof and of all persons having for the time being any exclusive right of fishery therein.

(3) Such rules may—

(a) prohibit fishing except under license in any specified water, and may regulate the granting of such licenses, the fees payable therefor, and the conditions to be inserted therein;

(b) prescribe seasons and areas in which no fish of any species specified in the rules shall be killed, or offered or exposed for sale; and

(c) prescribe a minimum size or weight below which no fish of any species specified in the rules shall be killed, or offered or exposed for sale within specified areas.

(4) In making any rule under this section the Local Government may—

(a) direct that a breach of it shall be punishable with fine which may extend to one hundred rupees, and when the breach is a continuing breach, with a further fine which may extend to ten rupees for every day after the date of the first conviction during which the breach is proved to have been persisted in; and

(b) provide for—

(i) the seizure, forfeiture and removal of any apparatus erected or used for fishing in contravention of the rule, and

(ii) the forfeiture of any fish taken by means of any such apparatus.

(5) The power to make rules under this section is subject to the condition that they shall be made after previous publication.

Saving of powers under Indian Fisheries Act. 4. Nothing in this Act shall be deemed to limit the powers of the Local Government to make rules under section 6 of the Indian Fisheries Act, 1897. India Act IV of 1897.

R. A. MANT.

Member.

S. W. GRACEY,

Secretary, Legislative Council.

STATEMENT OF OBJECTS AND REASONS.

The Bill extends the powers conferred on the Local Government by section 6 of the Indian Fisheries Act, IV of 1897, to make rules for the protection of fish in selected waters. Experience has shown that the existing law is insufficient to prevent the wholesale slaughter of immature fish at the spawning grounds; and that a valuable source of food-supply is in danger of being lost if unrestricted fishing is allowed to continue. Some rivers in the Punjab have already been depopulated to such an extent that a measure which will check the destruction of young fry and assist re-stocking by natural means is urgently required. Power is therefore given to the Local Government to make rules to prohibit fishing except under license when this appears necessary; to declare a close time for any species of fish in any particular water; and to prescribe for each species a minimum size or weight below which no fish may be killed. In order to enforce these powers effectually, the rules may also prohibit the offer or exposure for sale of any fish the killing of which has been declared illegal.

R. A. MANT,

Member.

S. W. GRACEY,

Secretary, Legislative Council.

Punjab Government Press, Lahore—19-9-13—1661—967.

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, OCTOBER 10, 1913

PART V

Proceedings of the Council of the Lieutenant-Governor of the Punjab assembled for the purpose of making Laws and Regulations.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab, assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 to 1909.

THE Council met at the Council Chamber, Barnes Court, Simla, at 11 A.M., on Friday, the 19th September 1913.

PRESENT :

His Honour Sir MICHAEL FRANCIS O'DWYER, K.C.S.I., I.C.S., Lieutenant-Governor, *Presiding*.
The Hon'ble Sardar SUNDAR SINGH, MAJITHIA, Sardar Bahadur.
The Hon'ble Mr. JOHN CORNWALLIS GODLEY.
The Hon'ble Sardar DALJIT SINGH of Jullundur.
The Hon'ble Mr. CLAUD ALEXANDER BARRON, C.I.E., I.C.S.
The Hon'ble Mr. MICHAEL WILLIAM FENTON, C.S.I., I.C.S.
The Hon'ble Babu GAJJAN SINGH.
The Hon'ble Rai Bahadur Bakhshi SOHAN LAL.
The Hon'ble Khan Bahadur Khwaja YUSAF SHAH.
The Hon'ble Rai Bahadur RAM SARAN DAS.
The Hon'ble Sir HENRY PARSALL BURT, K.C.I.E.
The Hon'ble Mr. JAMES CURRIE.
The Hon'ble Lala KASHI RAM.
The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI.
The Hon'ble Mr. PATRICK JAMES FAGAN, I C.S.
The Hon'ble Nawab IBRAHIM ALI KHAN of Kunjpura.
The Hon'ble Rai Bahadur SHADI LAL.
The Hon'ble Mr. JOHN PERRONET THOMPSON, I.C.S.
The Hon'ble Malik MUHAMMAD AMIN KHAN of Shamsabad.
The Hon'ble Mr. REGINALD ARTHUR MANT, I.C.S.
The Hon'ble Mr. STEPHEN WILLIAM GRACEY, I C.S.

OATH OF OFFICE.

The Hon'ble Mr. SHADI LAL and the Hon'ble Mr THOMPSON took the oath of allegiance, as required by Regulation VII.

[*His Honour the President.*]

ADDRESS BY HIS HONOUR THE PRESIDENT.

His Honour the President :—

" Gentlemen, I offer you a hearty welcome to this the first meeting of the Legislative Council at which it is my privilege to preside.

" The formation of the Provincial Council in 1897 and its reconstitution and expansion under the Councils Act of 1909 are measures which came into effect during my absence from the Province. But I think I may say with confidence that the wise policy therein embodied of directly associating the people of this Province with the administration has fully realised expectations and has been completely justified by results.

" My distinguished predecessor in presiding over the first meeting of the Reformed Council in January 1910 expressed the hope that it would link together the people and the Government in a bond of closer union, and serve as a medium for conveying to the Government a truer idea of the wishes and the feelings of the people, and for conveying to the people a fuller and clearer insight into the objects and reasons of the policy and measures of Government.

" Three years later, in the light of the experience gained, he was able to say, at one of the last meetings over which he presided, that this Council had always shown the sound common sense which marks the people of this Province, and had been specially distinguished by a very obvious desire to co-operate with Government in all measures adopted for the good of the Province.

" I trust that those happy relations will be maintained during my term of office, and looking to the constitution of the present Council in which I see among the non-official members worthy representatives of the old aristocracy, of the great land-holding classes, of the leading capitalists, and of the most acute legal intellects of the Province, I have every reason to hope that their co-operation with the trained administrative experience supplied by the official members will yield results fruitful and beneficial to this great Province, whose interests and progress we all alike have at heart.

" Gentlemen, I have served in many parts of India and have seen something of the conditions in other Provinces, but I can assert with confidence that in rapid expansion and material progress none of them can compare with the development of our own Punjab in the present generation.

" The great results already achieved are due to the mutual confidence and intimate association of the administration and the people, which have always been a marked feature in this Province and which it will be my aim to strengthen and to extend. Our object in this Council should therefore be to retain for our Province that proud position by continuing to develop on sound and safe lines, and that object can only be secured by the whole-hearted co-operation of the people and of their representatives in this Council with the Government in every branch of the administration in suppressing crime, in extending education, in promoting medical relief and sanitary measures, in reconciling racial and sectarian differences (which now unfortunately in many parts of the Province retard sound progress and hamper the administration), and in promoting a healthy public opinion—in short in bringing about that ideal state of affairs 'Where none are for a party and all are for the State', that is, for the common interests of our Province.

" It will be my endeavour to work steadily towards that goal during my term of office, and in doing so I trust I can reckon upon your loyal and unwavering assistance.

" Gentlemen, You do not expect from me at this stage any general declaration of the policy of Government. The principles of that policy in all matters of importance are determined by the Government of India, and those of you who have had the privilege of hearing or reading His Excellency the Viceroy's eloquent and statesman-like enunciation of those principles and of their application to present conditions in the Imperial Council a few days ago will

[*His Honour the President.*]

need no further enlightenment. The policy of the Provincial Government in local matters can be gathered from the replies to the many questions covering nearly every branch of the administration that stand on to-day's agenda paper. I may, however, invite your attention to His Excellency's remarks on the necessity of repressing lawlessness and restoring security in the North-Western districts of the Province—remarks which apply with equal force to some of the Central districts. The alarming increase in violent crime and the failure of the administration to cope adequately with it constitute a blot on the administration and a disgrace to the community which must be wiped out.

"Government will do its part by strengthening the Police and the magistracy, by improving the working of those agencies, and by encouraging and rewarding those of the public who come forward to assist them, but those are at present few in number, and complete success cannot be achieved till the public at large awaken to a sense of their duty as citizens, and range themselves actively, as in western countries, on the side of law and order.

"One of the main causes which prevents the growth of this sense of public duty is the increasing tension between different communities. We have far too much sectarian spirit, far too little public spirit, and it is a deplorable but incontestable fact that the spread of education and of newspapers instead of allaying has to some extent tended to embitter racial and religious feeling.

"In the remarks I made at the Rawalpindi Darbar last month I appealed to the Press to use its influence on the right side. I am glad to be able to say that my appeal was well received by the public generally and by a large section of the Press; and I take this opportunity of stating that a large and influential portion of the Press in this Province appears to be actuated by a genuine regard for the public welfare, and though it does not always fully appreciate the difficulties of the administration, is ready to give Government the credit of honestly striving towards the same end. But there is another and less reputable section of the Press, and I regret to say it is not confined to one community, which from blind sectarian partisanship, or other and even more unworthy motives, has been out-stepping all bounds of moderation and which seeks notoriety by sedulously striving to stir up and embitter sectarian feeling, to vilify the adherents of other creeds, to attack and malign all they hold sacred, and finally to distort and misrepresent the motives and actions of Government. On that section my warning has fallen unheeded, and Government has therefore in the public interest been compelled to take action, as authorised by law, in some cases to demand security from, in others to forfeit the security already given by, the offending Press or publisher.

"This action has been taken with reluctance, and only after Government was assured that it would meet with the approval of those—and they are the vast majority—who have at heart the interests of the community as a whole.

"I trust that the action taken will have the effect of restraining violent and inflammatory appeals to prejudice and passion and obscene and scurrilous attacks on followers of different creeds, not only in the Press but also on the platform.

"But if it should not, Government will deal with the offenders, as with any other individuals, that break the law by promoting disorder or disaffection, and will employ all the means the law places at its disposal—and of these the taking and forfeiture of security are the least—to maintain public order and decency and to secure for all classes and creeds the fulfilment of the guarantee given in Queen Victoria's Proclamation of 1858, *viz.*, that 'None be in any wised favoured, none molested, or disquieted by reason of their religion, faith or observances, but that all alike shall enjoy the equal and impartial *protection* of the law.'

"Gentlemen, to turn to more pleasing subjects. I am happy to be in a position to inform you that our Provincial finances are in a most

[*His Honour the President ; Mr. Muhammad Shafi.*]

flourishing condition and the excellent prospects of the present harvest, over nearly all the Province, promise a continuance of prosperity.

"We hope therefore to be able to carry on and even expand the programme of improvements in communications and public works generally, in agriculture, medical relief, education and sanitation, which has been inaugurated within the last few years. But while funds will, I hope, be forthcoming for sound and well considered schemes, we have no desire and no justification to embark upon speculative or visionary projects. I must not, however, anticipate the deliberations of the budget committee which it is one of our functions to appoint to-day.

"Gentlemen, in making these remarks I am departing from the advice given by the first and greatest of our Lieutenant-Governors, Sir J. Lawrence, who said 'No wise man should ever make a speech if he can help it' But Sir John, if he lived in these days, would have found some difficulty in adhering to his view, and I doubt if in the presence of a representative Council, such as I see assembled here to-day, he would have maintained the golden rule of silence.

"Gentlemen, it only remains for me to repeat the hope that in this Council, while all reasonable criticism and discussion are to be encouraged, our deliberations will continue to be marked by a spirit of harmony, good sense and mutual toleration."

The Hon'ble Mr. Muhammad Shafi :—

"Your Honour, this being the first meeting of the Punjab Legislative Council under Your Honour's presidency, I desire, as the most senior member of this Council in point of time, to offer to Your Honour our respectful and cordial welcome on Your Honour's assumption of your high office, and to assure Your Honour of our loyal co-operation in whatever Your Honour's Government might undertake for the welfare of the province and of our people. Your Honour enters upon your high office at a period of prosperity which is evident from the successive surpluses which our province has enjoyed during the last few years, and as far as indications point, we all feel sure that we have a further period of prosperity in store for this Province. It is no doubt for the Imperial Government to lay down the lines of policy which Provincial Governments are to follow in regard to vital questions, but nevertheless the Provincial Governments too have a great deal of power in their own hands with reference, not only to the vital questions themselves, but also to other questions of Provincial importance in which they have a free hand. The policy already enunciated by Your Honour in the pronouncements which you have made at Rawalpindi and elsewhere and those which you have been pleased to make to-day, will, I have no doubt, appeal to all well-wishers of the Province, and will fill their hearts with gratitude towards Your Honour for the very laudable principles, the very noble principles, which Your Honour has in mind in carrying on the administration of your Province. We all deplore as much as Your Honour and the Government of India do the increase in violent crime which in recent years has taken place in the Western districts of the Punjab, and as you, Sir, truly observe, also in the Central districts of our Province ; and we can all assure Your Honour of our most sincere and earnest co-operation in whatever measures Your Honour's Government may decide to adopt in order to put down this crime. I feel sure that the better sense of the people of our Province and particularly of the loyal section of the stalwart races of the Punjab will extend their hearty co-operation in putting down this great evil, which is doing such immense harm to the cause of law and order. What has fallen from Your Honour's lips to-day with reference to the violent language used in a certain section of the Indian Press I am sure has come at a time when it was much needed, and I can, on behalf of the non-official members of this Council, give Your Honour

[*Mr. Muhammad Shafi ; Mr. Shadi Lal.*]

our sincerest assurance that we deplore the violence of language used in a portion of the Indian Press as much as the Government itself does, and, as far as we are concerned, we believe that in the use of moderate and dignified language in the promotion of the national interests of the people, the Press serves the cause which they ought to have at heart, in the best possible manner, but that the use of violent and inflammatory language calculated to arouse the baser passions of the uneducated people, is sure to do infinite injury to the cause which we all have at heart.

"In conclusion, I can only say, Sir, that throughout your period of office, which I trust will be crowned with the most complete success that Your Honour could desire, we, the non-official members of this Council shall always be ready to extend to Your Honour's Government our most loyal and faithful co-operation."

The Hon'ble Mr. Shadi Lal : –

'As this is the first meeting of the Punjab Legislative Council over which Your Honour is presiding since you assumed charge of your high office, I, in common with my colleagues in this Council, venture to offer to Your Honour a cordial and sincere welcome. During the administration of Your Honour's distinguished predecessor the Punjab passed through a quinquennium of uninterrupted prosperity, and it is our earnest and devout hope that that prosperity may continue unbroken in the lustrum during which Your Honour will preside over the destinies of this Province. The weighty words which you, Sir, spoke at Rawalpindi and a few minutes ago at this meeting of the Council inspire us with the hope that all matters relating to the peace and prosperity of the Province will receive the fullest consideration at Your Honour's hands, and that the advancement of the Province will be an object of Your Honour's fostering care. I venture to hope that as President of the Council you will extend to us the same consideration and courtesy which we always received from Your Honour's predecessor, and that you will treat with sympathy and encouragement any proposals which we may make for promoting peace, progress and prosperity of the people of the Province. We on our part can give Your Honour an assurance of our sincere and whole-hearted co-operation with the officers of Government in the arduous and responsible task of administration and legislation and in any reasonable measures which may be devised for the suppression of crime which is unfortunately rampant in some districts of the Punjab, and to which I drew the attention of this Council and of Your Honour's predecessor last year by asking certain questions.

"As regards the work of this Council, I may be allowed to state that our deliberations in the past have been marked by a sense of responsibility and proportion. I hope and trust that in the future our debates will be animated by a spirit of mutual toleration and a keen desire to better the conditions of the people whom we represent, and that all matters which have a tendency to excite racial or religious feelings will be avoided as far as possible. I hope Your Honour will excuse us if we sometimes make proposals for the improvement of the material and moral conditions of the people of this province, and as I have already stated, I feel confident Your Honour will give a careful and kind consideration to those proposals. The official Members of this Council will kindly recognise that sometimes our point of view may not be the same as that of the Government, and it may not be possible to have perfect harmony in all matters and on all occasions; but it would be unfair to attribute it either to the arbitrary exercise of authority by the Government officers or to any factious opposition on the part of their critics. If we cannot agree, let us try to appreciate the motives of those that differ from us. I am sure I am voicing the opinion of the Members of this Council when I say that much as we may differ in some matters which may come up for discussion here, we are all united in our determination to do our best for the people of this Province."

[*Mr. Ram Saran Das ; His Honour the President ; Mr. Godley ; Malik Muhammad Amin Khan.*

The following written speech of the Hon'ble Rai Bahadar Ram Saran Das was taken as read :—

" On behalf of the non-official members of this Council my own constituency and the orthodox Hindu community, I beg leave to accord a heartfelt welcome to Your Honour on your return to the Punjab. The very first Bill which is to receive the consideration of this Council, under Your Honour's presidency, would, it is expected, have the effect of lessening drunkenness and crime in the Province. The first official conference that met under your guidance was connected with the consideration of schemes for the improvement of sanitation in the Punjab. These are very auspicious beginnings, for which also I beg to offer my congratulations to Your Honour. We all pray that the cause of education, sanitation and promotion of peaceful and happy relations between the different communities of the Province may receive due attention at Your Honour's hands. And in the end I earnestly pray that the people of the Punjab may continue steadfast in their loyalty and remain happy and prosperous, and may the leaders and the people of different communities in Your Honour's tenure of office strive their utmost to restore amity and brotherly relations among themselves."

His Honour the President :—

"I must express a word of thanks to the Hon'ble Mr. Shafi and the Hon'ble Mr. Shadi Lal for their kindly words of welcome. The words they have used are a great encouragement to me personally, and as head of the administration they strengthen me in the belief which I had already formed, that the non-official members will be always willing to co-operate in good Government and in all reasonable measures for the benefit of the people. I can assure the Hon'ble Members that any suggestions, any proposals which emanate from them, will receive from Government the full consideration that they deserve as coming from worthy representatives of the people of this Province."

QUESTIONS AND ANSWERS.

The Hon'ble Mr. Godley laid on the table a statement* showing the number of Upper and Lower Primary Schools for Indian boys and girls in the Punjab during the years 1911-12 and 1912-13 asked for by the Hon'ble Rai Bahadur Ram Saran Das at the meeting of the 13th March 1913.

The Hon'ble Malik Muhammad Amin Khan asked :—

Prohibition of prayers in Government School, Ludhiana.

" (*a*) Will the Government be pleased to state the facts justifying corporal punishment upon the students of Government High School, Ludhiána, for representing their grievances against the order of the Head Master forbidding the Musalman students to sound the call to prayers ?

" (*b*) Has the Government instituted any enquiry regarding the complaint that the Head Master has prohibited the Musalman boarders from saying their prayers in the mosque and he is enforcing this order strictly by locking the boarding-house immediately after the students have entered it after the school hours ?

" (*c*) If so, what is the result of the enquiry ? If no enquiry has been made would not the Government be inclined to institute one and take necessary action to remove the grievance of the Musalmans ?

*See Appendix A.

[*Malik Muhammad Amin Khan ; Mr Godley.*]

"(*d*) Is it correct that no Musalman student has been admitted to the Entrance Class of the said school during the current year ?"

The Hon'ble Mr. Godley replied :—

"The circumstances referred to by the Hon'ble Member are briefly as follows :—Certain Muhammadan pupils of the Government High School, Ludhiána, which is an undenominational institution attended by pupils of all creeds, asked that the Muhammadan call to prayers should be permitted in the school hostel. The Head Master did not think it expedient to grant the request, but gave them special permission to attend a local mosque. Subsequently these boys sent in written accusations against the Hostel Superintendent. The case was fully investigated by the Inspector of Schools, and as the charges were shown to be groundless, the boys in question were caned for insubordination and confined to the hostel by his orders, in the interest of school discipline. There seems to be no occasion for a further enquiry.

"The statement that no Muhammadan pupil has been admitted to the Entrance Class of the Ludhiána Government School during the current year is incorrect. No Muhammadan boys from outside the school applied for admission, but four Muhammadan pupils already in the school were admitted to the class in question."

The Hon'ble Malik Muhammad Amin Khan asked :—

Educational concessions to sons of agriculturists.

"(*a*) In view of the extreme poverty but great importance of the agricultural communities, will the Government be pleased to consider the question of granting some special concessions to the sons of agriculturists in the secondary branch of public schools on the lines of those allotted in the primary department ?

"(*b*) The new definition of 'Agriculturist' as given in the Punjab Education Code is defective and limits the scope of concessions practically to the self-cultivating agriculturists. In consideration of their being the chief contributors to the education fund will not the Government be pleased to define it so as to bring the agricultural classes as defined in the Land Alienation Act generally within its scope irrespective of actual hand work ?

"(*c*) Will the Government kindly inform as to how the amount of Imperial grant of 3½ lakhs allotted to this province for education has been utilized ? Will not the Government be pleased to arrange some special concessions for agriculturists in view of their vast political and fiscal importance but abject poverty and admitted backwardness in education ?"

The Hon'ble Mr. Godley replied :—

"(*a*) The following concessions are in force at present :—Special 'zamindari' scholarships tenable in secondary schools are reserved for the sons of Sikh and Hindu agriculturists, while the 'Victoria' scholarships reserved for Muhammadan pupils in secondary schools are intended to be of assistance to Muhammadan agriculturists among others. The Lieutenant-Governor has recently agreed to an enhancement of the rates of all these scholarships, which in future will be of Rs. 4 instead of Rs. 2 in the middle classes, and of Rs. 6 instead of Rs. 4 in the high classes. In primary schools the children of agriculturists receive free education. It is not proposed to extend exemption from the payment of school fees to agriculturists' children in secondary classes, where 10 per cent. of the pupils can already be admitted at half-rates on the score of poverty. Government does not accept the statement as to the extreme poverty of the agricultural community.

"(*b*) The object of the definition of the term agriculturist given in article 117 of the Education Code is to relieve the cultivating as distinct from the land-owning classes from the payment of school fees, which range from one anna to five annas per month in Primary Schools. The definition as it stands

[*Mr. Godley ; Malik Muhammad Amin Khan.*]

is sufficiently elastic to cover all the poorer classes of the agricultural population, and there seems to be no adequate reason why the comparatively well-to-do proprietors of land should be similarly exempted from these small payments.

" (*c*) The bulk of the recurring imperial grant referred to by the Hon'ble Member has been and is being spent on the expansion and improvement of primary education in the rural tracts of the Province, including the erection of primary school buildings and the raising of teachers' salaries, *i.e.*, in bringing free primary education within the reach of the agricultural classes."

The Hon'ble Malik Muhammad Amin Khan asked:—

Education of Musalmans.

" (*a*) Will the Government be pleased to inform the steps it has taken or intends to take in compliance with the recent circular letter of Government of India regarding the education of Musalmans?

" (*b*) Will not the Government be pleased to appoint, as has been done in sister provinces, a committee of official and non-official members of the community for carrying out the policy and instructions laid down in the circular under reference?"

The Hon'ble Mr. Godley replied:—

"The Anjuman-i-Himayat-i-Islam has been addressed on the subject of the letter referred to. It has not been considered necessary at this stage to nominate a separate Muhammadan committee for the purpose of making recommendations, as the Anjuman is understood to be sufficiently representative of Muhammadan opinion."

The Hon'ble Malik Muhammad Amin Khan asked:—

Non-admission of students in High Schools.

" (*a*) Is Government aware that admission to students is being refused in some High Schools on the plea of want of accommodation? If so, under what authority and on what principle?

" (*b*) Is not the plea a direct method of discouraging education generally, and as the Government schools are at present staffed by non-Muslims mostly, does not the Government think that there is great danger of the Moslems being not treated justly, and cannot the Education Department remove this defect by increasing the number of schools and of the staff of the existing institutions?"

The Hon'ble Mr. Godley replied:—

"I may refer the Hon'ble Member to my answers to similar questions put by the Hon'ble Rai Bahadur Hari Chand on the 16th March 1911, and the Hon'ble Rai Bahadur Shadi Lal on the 15th November 1911. The overcrowding of school premises is discouraged by the inspecting officers of the Education Department in the interest of the health of the pupils and the efficiency of the instruction, and it is probable that boys are occasionally refused admission to schools which are already full. There are no special orders on the point, except that the maximum number of scholars in a class is fixed by article 225 of the Education Code, and that the provision of sufficient space per pupil is one of the conditions of a maintenance grant. Large sums of money are now being spent on expanding school accommodation. There is no reason to suppose that Muhammadan interests are specially affected in the matter."

The Hon'ble Malik Muhammad Amin Khan asked:—

Musalman District Inspectors and Head Masters.

" (*a*) Is the Government aware that of the six posts of the Head Masters of Government Normal Schools not a single one is held by a Musalman? Will the Government kindly state as to the causes which have prevented its officers from removing such flagrant disparity, especially because there seems no dearth of qualified Musalmans?

[*Malik Muhammad Amin Khan ; Mr. Godley.*]

" (b) Has the attention of Government been invited to the statistics given in the *Observer* of the 31st May 1913, complaining of a deplorable inadequacy of Musalman element in the local Education Service ? Will the Government be pleased to state what are the causes of this disparity, and whether there is any likelihood of removing this grievance ?

" (c) Has the Government considered that out of 29 District Inspectors of Schools and 29 Head Masters of Government High Schools there are only eight Musalmans in each of these two important branches of Education staff ? In view of the fact that the encouragement of education in a backward community depends entirely upon a sympathetic attitude of the teaching and inspecting staff, will the Government be pleased to take an early step to increase the number of Musalman District Inspectors and Head Masters ? "

The Hon'ble Mr. Godley replied :—

" Statistics regarding the proportion of Muhammadans employed in the Education Department as Head Masters and inspecting officers will be found in a letter* addressed by Government to the Anjuman-i-Himayat-i-Islam, copies of which I am permitted to lay on the table for the information of Members of this Council. The statistics given in the newspaper referred to are inaccurate in several respects, as admitted in a subsequent issue of the same paper. The general questions raised by the Hon'ble Member are also dealt with in the letter. Head Masters of Normal Schools are appointed mainly with a view to their qualifications and their seniority in the service, but it is recognised to be desirable to appoint Muhammadans to schools situated in Muhammadan districts if suitable incumbents can be found."

The Hon'ble Malik Muhammad Amin Khan asked :—

" Will the Government be pleased to lay on the table a statement showing— Schools, scholarships and education staff in Jhang district.

(a) the number of Gurmukhi as well as Hindi and Urdu schools opened under the District Board in the Jhang district during the last three years, together with the population statistics of various communities in each of the villages and towns in which the new schools have been started ?

(b) the number and value of scholarships awarded by the District Board, Jhang, during the last five years to Hindu and Muhammadan scholars, respectively, for instruction in the Lahore Training College and other educational and training institutions ?

(c) names of the teaching and inspecting staff working and holding charge in the Jhang district, and also the period of the latter's respective employment in the district. Is it true that both the inspecting and teaching staff consists chiefly of the members of one community ? "

The Hon'ble Mr. Godley replied :—

" As regards the first part of the Hon'ble Member's question, a statement† giving the particulars asked for regarding schools and scholarships in the Jhang district is laid on the table. The number of inspecting officers employed in the district is three, of whom one is a Muhammadan. The teachers in the Government High School, Jhang, number 17, of whom 4 are Muhammadans. The cause of this disparity is that the Muhammadans of Jhang have been educationally backward in the past, while it has been easy to obtain Hindu teachers of good qualifications locally. A list‡ showing the names and dates of appointment of the teaching and inspecting staff is laid on the table.

*See Appendix B.
†See Appendix C.
‡See Appendix D.

[*Malik Muhammad Amin Khan; Mr. Fenton.*]

The Hon'ble Malik Muhammad Amin Khan asked :—

Enhanced assessments in the Chenab and Jhelum Colonies.

" (*a*) Is it a fact that the enhancement amounts in the Chenab and Jhelum Colonies to 109 and 208 per cent., respectively, of the previous demand of land revenue.

" (*b*) If so, will the Government be pleased to state the principal causes for the excessive increase and to describe in a tabulated form whether it is due to increased cultivation or higher rates only and whether the Government has considered the mistakes made in following the statistics only and the advisability of making enhancement gradually ?

" (*c*) Is the Government aware that intense dissatisfaction exists in the Colonies over the enormous increase in the assessment rates, and in order to allow this, would not the Government, before sanctioning the proposed assessment, be pleased to institute further enquiry regarding the alleged grievances of the colonists ? "

The Hon'ble Mr. Fenton replied :—

" (*a*) The percentage figures given in the question have apparently been taken from paragraph 12 of the last Report on the Land Revenue Administration of the Punjab. But they represent estimates only. The revenue of each year varies with the area of crops, as the assessment in both colonies is a fluctuating one. The percentage of increase involved in the recent settlement operations is therefore best indicated by the acreage rates sanctioned. A statement* of these is placed on the table. It may be explained that the Jhelum Colony rates are average rates and that in the case of the Chenab Colony differentiation is allowed within each class so as to admit of inferior squares receiving consideration.

" (*b*) It is not admitted by Government that the increase in the assessment has been ' excessive ', nor is it admitted that the officers responsible for the settlement have, as alleged, made the mistake of following statistics only. The increase in the revenue in both Colonies is due in the main to the circumstance that the concession period during which the colonists were permitted to pay at initial favourable rates, not based on any estimate or appraisement of assets, has expired, and that an assessment of the nature of a first regular settlement conducted on ordinary settlement principles and based on assets has now for the first time been imposed. With reference to the last inquiry in this section of the Hon'ble Member's question I may state that in the Jhelum Colony the full rates have in some cases been postponed for four years. It will be within the discretion of the authority dealing with the appeals now pending from the Chenab Colony to sanction a similar postponement where the conditions seem to require it.

" (*c*) Again, exception must be taken to the use by the Hon'ble Member of the word '*enormous*' in describing the increase in the assessment rates. It must be remembered that the land revenue is only one portion of the Government demand, that the canal water rates which have been unchanged for twenty years are just as important an item in the total charges which colonists have to meet, and that the percentage of increase in the total charges on the land is thus very moderate in comparison with the increase in the assessable assets of these prosperous communities, which relatively to revenue payers in other provinces of British India and in Native States enjoy a very favourable rate of taxation.

**Vide* Appendix E.

[*Mr. Fenton ; Malik Muhammad Amin Khan ; Mr. Fagan.*]

"The Lieutenant-Governor, who recently visited Lyallpur, did not find evidence there of the existence of any such intense dissatisfaction as is alleged in the Hon'ble Member's question ; nor is there any reason to believe that any such dissatisfaction exists among the Jhelum colonists.

4 "The assessments referred to in the question *have* been sanctioned by Government and are final except to the extent that in the case of the Rakh Branch of the Chenab Canal they may be modified for individual revenue-payers by the orders of the Commissioner and Financial Commissioner passed on appeals under section 58 of the Land Revenue Act".

The Hon'ble Malik Muhammad Amin Khan asked :—

Co-operative Credit Societies and Takavi advances.

"(*a*) Is Government aware of the immense good done to the people by the Co-operative Credit Societies' system in the districts of the Punjab, where the work has been started, and will the Government kindly state that in consideration of the above benefits what steps it has taken in order to increase the staff, so that the much-needed districts, especially those in the north of the Chenab, may avail themselves of the help given to the people by this measure ?

"(*b*) In place of making takavi advances to zamindars under different Acts and spending so much time and labour on this work, would it not be advisable for Government to make over all such items to the credit of Co-operative Credit Societies and order the Registrar to make arrangement for the distribution of the money and for its repayment to Government ?"

The Hon'ble Mr. Fagan replied :—

"(*a*) Government is fully aware of the benefits which the Province has derived and is deriving from the Co-operative Credit system, and every endeavour is made to foster and encourage the success of the movement by increasing the staff at the disposal of the Registrar, Co-operative Credit Societies, whenever the need arises. With reference to the districts north of the Chenab it may be mentioned that 23 societies have been started in the Rawalpindi and Attock districts during the last four months, and that the question of the appointment of a permanent Inspector for employment in those districts and in Jhelum is under consideration. The districts of Shahpur and Gujrát are already receiving sufficient attention.

"(*b*) The Government of India have decided that takavi advances may not be made to Co-operative Credit Societies as such for their own use and benefit. The question of utilizing such societies as the agents of Government for distribution of advances to their individual members is under consideration".

The Hon'ble Malik Muhammad Amin Khan asked :—

Settlement Amla of the Kángra district.

3 "Will the Government please enquire and inform whether any instructions have been issued to the effect that in view of majority of Hindu population the settlement Amla of the Kángra district should consist solely or mainly of Hindus ? Is there any justification for such an unprecedented order for Kángra alone ?"

The Hon'ble Mr. Fagan replied :—

"No such instructions as are described in the question have been issued."

[*Malik Muhammad Amin Khan ; Mr. Fenton.*]

The Hon'ble Malik Muhammad Amin Khan asked :—

Grant of land to Ráwalpindi and Attock district proprietors.

"Is Government aware that the average extent of proprietary holdings is exceedingly small throughout Ráwalpindi and Attock districts, and that the owners of these districts were generally excluded from obtaining land in colonies on former occasions. Many people of these districts remain absent from their homes in search of livelihood and form good soldiers of Indian Army, and in order to improve their condition will the Government be pleased to consider their claims for grant of land (on some favourable terms) in the new colonies ?"

The Hon'ble Mr. Fenton replied :—

"The average proprietary holding in the Ráwalpindi district is small but not so small as in several other districts in the Province. The average proprietary holding in the Attock district is very much larger than the average of the Province.

"It is not the case that land owners of the Ráwalpindi and Attock districts were generally excluded from obtaining land in colonies on former occasions. In fact the Ráwalpindi division received preferential treatment in the allotment of land in the Jhelum Colony, and the Ráwalpindi district was specially favoured in the distribution which then took place. The Local Government has recommended the allotment of 100,000 acres on the Lower Bari Doab Canal to pensioned officers and soldiers of the Native Army. To the Ráwalpindi division a substantial portion of this area should fall inasmuch as it furnishes a large number of recruits to the Army. The Hon'ble Member is aware that 20,000 acres or nearly half the available area of Government land on the Upper Jhelum Canal has been set aside for allotment to persons who render assistance to the Criminal Administration in the Ráwalpindi division."

The Hon'ble Malik Muhammad Amin Khan asked :—

Naib Tahsildars, their appointments and pay.

"(*a*) The Naib Tahsildar candidates pass an anxious time of nine or ten years before they secure a sub. *pro tem.* appointment. In order to reduce the period of their expectancy, would not the Government be pleased to consider the advisability of giving them preference in certain appointments of the district establishment ?

"(*b*) The Naib Tahsildars are required to keep a horse and double set of servants in consequence of their tours. Has Government taken into consideration the facts that in spite of an increase in their salary sanctioned in 1903 it remained still inadequate to meet their expenses (which in order to maintain their position and dignity must necessarily amount at least in the district headquarter stations to about Rs. 45 per mensem) ? Now that the grades of Tahsildars have been revised, will not the Government be pleased to consider the question of revising the scale of Naib Tahsildars' pay ?"

The Hon'ble Mr. Fenton replied :—

"(*a*) Naib Tahsildar candidates are of two classes, official and non-official. On the 1st July last there were 241 candidates of all classes in the Province, of whom, at the time of acceptance, 115 were classed as non-officials. The Divisional lists show that on the 1st July only 49 of these were still unemployed. Of these 49 candidates, 23 were accepted less than three years ago, and as it takes a non-official candidate about that time to complete the special training in the field and in a revenue office required by the rules, his

[*Mr. Fenton ; Malik Muhammad Amin Khan ; Mr. Barron.*]

employment in any other appointment at an earlier date would be impracticable. These figures indicate that Commissioners who are the officers responsible for the acceptance and appointment of Naib Tahsildars are fully alive to the desirability of providing non-official candidates with suitable employment in Government service, pending their appointment as Naib Tahsildars. No hard-and-fast rule can be made on the subject. Much must depend on the existence of suitable vacancies, with due regard to the claims of persons already in the service.

" (*b*) The question of a further increase in the rates of pay for Naib Tahsildars was considered by Government in December last, when the 4th grade of Tahsildars was abolished, but it was decided that no revision was necessary as in the opinion of Government it is desirable that there should be a great gap between the salary of a Naib Tahsildar and that of a Tahsildar, so that the subordination of the former may be most clearly marked."

The Hon'ble Malik Muhammad Amin Khan asked :—

Allowances to Revenue Assistants.

" Is there any proposal under consideration to grant fixed allowances to the Revenue Assistants of the districts ? "

The Hon'ble Mr. Barron replied :—

" The answer is in the negative."

The Hon'ble Malik Muhammad Amin Khan asked :—

Allowance to Treasury Officers.

" Does the Government know that the post of a Treasury Officer is unpopular in service ? With the object of removing this defect, and in view of grave importance of duties of Treasury Officers, will the Government be pleased to consider the desirability of granting an allowance to these officers at least in some important districts where the treasury work is very heavy ? "

The Hon'ble Mr. Barron replied :—

" Government is not aware that the post of Treasury Officer is regarded as an unpopular one, though the work, if not relieved by other duties, is sometimes alleged to be monotonous and unattractive. The question of granting special allowances to the Treasury Officers of the larger treasuries was considered in 1904-05, but the proposal was rejected in view of the steps then being taken to reduce the amount of judicial work to be expected from Treasury Officers. No further representation on the subject has since been received by Government."

The Hon'ble Malik Muhammad Amin Khan asked :—

Travelling allowance to Tahsildars.

" Is the Government aware that a feeling of general dissatisfaction exists amongst the Tahsildars about the scale (Re. 1 per diem) of travelling allowance sanctioned for them, which is quite insufficient to recoup their actual travelling expenses, and which even works below the scale of fixed travelling allowance for ministerial officials of equal pay ? Now that the pay of Tahsildars has been equalised with that of Munsifs, will not the Government be pleased to take into consideration the question of equalising the scale of daily travelling allowance and of removing the standing grievance of a deserving body of public servants ?"

[*Mr. Fenton ; Malik Muhammad Amîn Khan ; Lala Kashi Ram.*]

The Hon'ble Mr. Fenton replied :—

"Government is not aware that there is a feeling of general dissatisfaction among Tahsildars in the Punjab in regard to their travelling allowance, as no representations on the subject have been received. The existing rate of Re. 1 per diem was sanctioned by the Government of India, as a special case, in lieu of registration allowances, in 1889, and it was mentioned in the sanctioning letter that Tahsildars in other Provinces were not allowed travelling allowance. The grant of travelling allowance was supplemented by the provision of tents and their carriage at the expense of Government.

"Munsifs are allowed Rs 3 a day, but are not provided with tents. It is only very occasionally that Munsifs are required to leave head-quarters, and their case is, therefore, quite different from that of Tahsildars."

The Hon'ble Malik Muhammad Amin Khan asked :—

Sub-Overseers and Overseers in the Public Works Department.

"(*a*) I venture to ask what action Government has taken or intends to take in connection with the memorial submitted about six months ago by the Sub-Overseers of the Public Works Department.

"(*b*) Will the Government be pleased to inform how many appointments in the Upper Subordinate (Overseer) grade of the Public Works Department were made during the last three years by direct nomination and by promotion from the Lower Subordinate (Sub-Overseer) grade of the Department ?"

The Hon'ble Mr. Fenton replied :—

"(*a*) The memorials submitted by Sub-Overseers of the Public Works Department, Punjab, are still under consideration.

"(*b*) During the last three years 37 appointments have been made to the Upper Subordinate Establishment, Public Works Department, Punjab, as follows :—

(1)	By promotion of lower subordinates ...	13
(2)	By appointment of temporary Upper Subordinates already serving in the Department ...	13
(3)	By appointment of men who had secured guaranteed appointments at Roorkee ...	0
(4)	By appointment of men who have passed through the Engineering Class at Roorkee or elsewhere, but who did not secure posts as Assistant Engineers ...	1
	Total ...	37

"In addition, two temporary Upper Subordinates and three men qualified for the post of Assistant Engineer were appointed to the Supervisor grade."

The Hon'ble Lala Kashi Ram asked :—

"Will the Government be pleased to state whether it is a fact—

Assessment of income-tax on firm of Ram Rattan Girdhari Lal.

(*a*) that a trading firm in Ludhiána consisting of three brothers and carrying on business in the name of Ram Rattan Girdhari Lal were assessed to income-tax at Rs. 169-4-4 for the year 1910-11, in which year one of the brothers divided off, taking away one-third share of its capital ;

[*Lala Kashi Ram; Mr. Fenton.*]

(*b*) that at the proceedings for the next assessment, *viz.*, for the year 1911-12, the above facts were brought to the notice of the authorities by the two remaining brothers, who also put in a statement showing their profits at Rs. 4,400 only; that notwithstanding the two brothers representing two-thirds share of the old firm were assessed at Rs. 260 while the outgoing brother was assessed at Rs. 52 only;

(*c*) that against this assessment the two brothers preferred an objection to the Collector praying for assessment according to law with reference to their actual profits ascertainable from their account books which they were ready to place before him; that the Collector called for a report from the Tahsildar as to why the two brothers representing two-thirds of the old firm should be assessed to Rs. 260 while one brother, who had one-third capital, was assessed at Rs. 52 only; that the Tahsildar supported his assessment by stating *inter alia* that wealthy bankers kept more than one set of account books; that the Collector dismissed their objection, remarking in his order that the objectors were the wealthiest firm in Ludhiána; that a revision application by the firm to obtain redress was rejected by the Commissioner of the division;

(*d*) that in the year 1912-13 this firm was again assessed at Rs. 260 and made the same efforts as in the previous year to obtain enquiry into the state of their profits, but failed."

"Will the Government be pleased to state if any enquiry was made by any of the officers named above as to the reliability of the books of this firm, and, if not, on what data was the income of the firm assessed at Rs. 10,000? If the books were disregarded, will the Government be pleased to state if such disregard of the books of respectable firms is confined to the case of this firm or is general in the case of Indian traders?" **Reliability of account book.**

"Are the Government aware that such disregard of the Indian traders and their books results in a great deal of hardship, and will they consider the desirability of taking some steps to ensure that assessments for the purposes of the income-tax are made on some definite facts, and that account books of reliable firms are not disregarded?" **Disregard of account book in assessing income-tax.**

The Hon'ble Mr. Fenton replied :—

"Government had no information as to the facts set forth in the Hon'ble Member's questions, but on notice of it being received a report was called for from the Deputy Commissioner of Ludhiána. That officer's report has only just reached me. It is too long to read to the Council, but I now supply a copy of it to the Hon'ble Member. Government has no information beyond what is contained in this report. The Hon'ble Member will see that the statements of fact in the question are mainly, though not entirely, correct, and that the explanations which he seeks are given by the Deputy Commissioner.

"Coming now to the general questions raised by the Hon'ble Member it is not the case that the account books of reliable firms are generally disregarded by income-tax assessing officers. All information bearing on the appraisement of income is welcome. But assessing officers are not bound by law to base their assessments on such evidence alone, to the exclusion of

[*Lala Kashi Ram ; Mr. Barron ; Mr. Shadi Lal.*]

all other evidence, more especially when the account books produced relate to a portion only of a firm's transactions. To ascertain the income derived from trade transactions, of which the account books produced contain no record, assessing officers must necessarily have recourse to other sources of information. In the case which has given rise to the present question the Commissioner expressed the opinion that the statement of account produced was too fragmentary to be of any value."

The Hon'ble Lala Kashi Ram asked :—

Raising of Punjab Chief Court to status of High Court.

"With reference to the reply given by the Hon'ble Mr. Barron to the question asked by the Hon'ble Rai Bahadur Shadi Lal at the Council Meeting held on the 14th December 1912 on the subject of raising of the Chief Court to the status of a Chartered High Court and to the statement of the Public Press to the effect that Sir Louis Dane before his retirement recommended to the Government of India that the Chief Court be raised to the status of a Chartered High Court, will the Government be pleased to state whether the above-mentioned statement is correct, and, if so, what action has been taken on the recommendation of the Punjab Government ?"

The Hon'ble Mr. Barron replied :—

"The statement referred to in the Hon'ble Member's question is substantially correct, but the constitution of the High Court contemplated by the late Lieutenant-Governor did not in all respects correspond to that of the existing High Courts. The matter is still the subject of correspondence between this Government and the Government of India."

The Hon'ble Rai Bahadur Shadi Lal asked :—

District and Sessions Judges scheme.

"With reference to the question in connection with the scheme of District and Sessions Judges asked by me at the meeting of the Legislative Council held on the 14th December 1912 and the reply of the Hon'ble Mr. Barron thereto, will the Government be pleased to state whether the scheme has been sanctioned by the Secretary of State for India, and, if so, when the Bill to give effect to it will be introduced in the Council ?"

The Hon'ble Mr. Barron replied :—

"With Your Honour's permission I propose to answer this question and the subsequent question on the same subject by the Hon'ble Mian Muhammad Shafi together.

"The scheme for the substitution of District and Sessions Judges for Divisional and Sessions Judges in the Punjab has been sanctioned by the Secretary of State, and a draft Bill to amend the Punjab Courts Act in order to give legal sanction to the proposed changes has been submitted to the Government of India for approval. It is proposed that the necessary legislation should be introduced and passed as early as possible so that the scheme shall come into force during the coming cold weather."

The Hon'ble Rai Bahadur Shadi Lal asked :—

Election to Simla municipality.

"Will the Government be pleased to state the circumstances under which the tax-payers of Simla were deprived of the privilege of electing their representatives to the municipal committee ?"

[*Mr. Mant ; Mr. Shadi Lal ; Mr. Barron ; Rai Ram Saran Das ; Mr. Fenton.*]

The Hon'ble Mr. Mant replied :—

"The system of election was discontinued in Simla in 1903 because it had been found by experience that the system did not conduce to good administration in the special circumstances of the municipality. The preponderating interests of Government in the station, and the large grants which the municipality has received from general revenues made it desirable for Government to nominate the members of committee. But endeavours are made to secure that all important interests—house-owners, traders, bazar, etc.,—besides those of Government, are duly represented."

The Hon'ble Rai Bahadur Shadi Lal asked :—

Dissatisfaction with constitution of Simla Municipal Committee.

"Is the Government aware that the tax-payers value the right of electing members to the municipal committee and are dissatisfied with the present constitution of the Simla Municipal Committee? Will the Government be pleased to reconsider the matter and restore to the tax-payers the privilege of election which they had enjoyed before the change was made ?"

The Hon'ble Mr. Mant replied :—

"The Government has no reason to believe that the tax-payers generally desire to have votes, and for the reasons given in reply to the last question, the Government is not prepared to restore the electoral system."

The Hon'ble Rai Bahadur Shadi Lal asked :—

Report by Clerical Establishments Committee.

"With reference to the reply given by the Hon'ble Mr. Barron on the 2nd October 1912 to my question relating to the proposal for increasing the pay of some members of the clerical establishments under the Punjab Government, will the Government be pleased to state whether the Clerical Establishments Committee have finished the enquiry which they were asked to make, and, if so, will the Government be pleased to lay on the table a copy of their report ?"

The Hon'ble Mr. Barron replied :—

"The Clerical Establishments Committee has, it is understood, practically completed its enquiries, and its report will shortly be ready for submission to Government. Government cannot say, until it has seen the report, whether it can be published or laid on the table of this Council, but both points will be considered in due course."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Copies of applications to and orders by Canal Officers.

"Is the Government aware that there is a general practice in canal offices not to grant copies of any applications filed or adverse orders passed which prevents people from approaching the higher departmental authorities? Will the Government be pleased to take some action with a view to remove this difficulty of the irrigators ?"

The Hon'ble Mr. Fenton replied :—

"The Chief Engineers, Irrigation Department, deny that there is any such practice in canal offices as is alleged in the question. Heads of canal offices, like heads of other offices, are, subject to appeal to higher authorities, vested with discretion as to granting of copies of documents in cases not covered by definite statutory and departmental rules. Copies of confidential documents

[*Rai Ram Saran Das* ; *Mr. Barron* ; *Mr. Fenton.*]

for instance, are often refused, and rightly refused. But petitioners to whom copies of orders of Executive Engineers and Sub-Divisional Officers are refused are at liberty to appeal to the Superintending or Chief Engineer who can direct copies to be supplied. If the Hon'ble Member will give specific instances of the practice alleged in his question, the Chief Engineers will be glad to look into them."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Holiday on Ram Naumi day.

"In view of the fact that Ram Naumi being a national festival and considered a sacred day by the Hindus when the orthodox people perform certain religious ceremonies, will the Government consider the desirability of declaring this a public holiday under the Negotiable Instruments Act."

The Hon'ble Mr. Barron replied :—

"The question of declaring a general public holiday on the "Ram Naumi" or birthday of Siri Ram Chandra, the hero of the Ramayana, was considered in 1911, when it was decided that there were not sufficient reasons for adding this festival to the list of public holidays notified under the Negotiable Instruments Act. Of the ten Hindu holidays declared under the Act the four days given at the Dusehra already commemorate the deeds of the hero of this famous epic poem. It is open to the Deputy Commissioner of any district in which for local reasons it may be desirable to recognise the Ram Naumi as a holiday to include its date in the local holidays which may be granted by him with the sanction of the Commissioner. The date is so included in the list of local holidays in two districts in the Punjab."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Water rates in the Sidhnai, Lower Chenab and Upper Sutlej Inundation Canals.

"In his reply to my question No. 1 put in the meeting of the Council on the 13th March 1913, the Hon'ble Mr. Fenton stated that the rates so far levied in the Punjab are very far below the standard as mentioned in paragraph 378 of the Report of the Irrigation Commission, 1901-03. Will the Government be pleased to state what is the figure of standard in the Sidhnai, Lower Chenab and Upper Sutlej Inundation Canals, where the annual return on capital outlay is 31·72, 28·66 and 18·88, respectively ?"

The Hon'ble Mr. Fenton replied :—

"I do not understand what the Hon'ble Member means by the "figure of standard." The *actual* canal occupiers' rates in force on the canals mentioned in the question are some 40 to 50 in number, varying according to the season and the crop grown and according as they are levied for flow or lift irrigation. It would take up too much of the time of the Council to read out the full schedules, but if the Hon'ble Member comes to me at any time I can show him the nine or ten Gazette notifications imposing the rates. The percentages of annual return on capital outlay which are given in the question do not represent the proceeds of canal occupiers' rates alone. Account is also taken of indirect income such as land revenue and the sale-proceeds of Government land made culturable by irrigation. If occupiers' rates alone were taken into account the percentages would be considerably lower."

[*Rai Ram Saran Das ; Mr. Godley ; Mr. Fenton.*]

The Hon'ble Rai Bahadur Ram Saran Das asked :—

"Will the Government lay on the table of this Council a statement showing the number of (*a*) Lower Primary Schools, (*b*) Primary Schools in each of the districts of the Province during the years 1909- 910, 1910-1911, 1911-1912 and 1912-13 ?" Number of Primary Schools.

The Hon'ble Mr. Godley replied :—

"Statistics* for the years 1911-12 and 1912-13 are laid upon the table. In previous years Upper and Lower Primary Schools were not separately classified in the returns."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

"(*a*) Will the Government be pleased to state after how many years are the water-rates on different perennial canals of the province liable for revision ? Water rates on perennial canals.

"(*b*) If there is no such period fixed for revision, will the Government consider the desirability of not raising these rates before the expiry of at least 20 years ?"

The Hon'ble Mr. Fenton replied :—

"(*a*) *and* (*b*).—Water-rates on perennial canals are liable to revision at any time. In a recent letter the Government of India expressed the following opinion on the subject :—

"'There are strong reasons for reserving power to alter the charges for water in case of necessity. A change in the conditions of cultivation might disturb the proportions of water required for different crops, and some re-adjustment of the rates might be advisable and equitable. It is not politic for Government to tie itself down too much in the matter.'

"The question was examined, in so far as it affects Punjab Canals, in the year 1889 and the view then taken was that there should be a reconsideration and revision if necessary of canal rates every ten years, and that such rates should at any rate be examined at each land revenue settlement. In practice, however, this programme has not been adhered to. For instance, the occupiers' rates on the Chenab Canal have remained practically unchanged for over twenty years, the only modification being to reduce rates where the water-supply has not been satisfactory.

"The revision of occupiers' rates on the Bari Doab Canal which, according to the programme of 1889, was to take place in 1897, was not actually carried out until 1906.

"For Government to give any undertaking in the sense suggested in paragraph (*b*) of the Hon'ble Member's question would be contrary to the policy approved by the Government of India, as communicated in the extract which I have just read, and would be opposed to the recommendations of the Irrigation Commission."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

"(*a*) Will the Government be pleased to state whether it is under contemplation to change the rules for allowing remissions for kharaba in the Lower Chenab Canal ? Remissions for kharaba on the Lower Chenab Canal.

"(*b*) If so, will the Government be pleased to state the nature and the line on which such change is contemplated ?"

*See Appendix A.

[*Mr. Fenton ; Rai Ram Saran Das.*]

The Hon'ble Mr. Fenton replied :—

"(*a*) *and* (*b*).—The existing rules governing the grant of remissions for failed crops on the Lower Chenab and Lower Jhelum Canals are contained in *Punjab Gazette* Notification No. 587 R. I., dated 6th May 1913. No changes in the rules as so notified are under contemplation."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Grant of squares on Canal Colonies to Civil grantess.

"(*a*) Is it a fact that the Secretary of State has stopped the grant of the squares on Canal Colonies to civil grantees?

"(*b*) Is it not a fact that the civil employés of the Government and other private men have in the past been granted squares for approved and meritorious service to the State, in addition to what they enjoyed in the shape of pensions, gratuity, rewards or title, &c.?

"(*c*) Does the Government know that formerly good and hard-working Government servants, who could not be promoted to higher appointments after the age of 40, were able to get squares on Canal Colonies?

"(*d*) If the answer to question 1 (*a*) is in the affirmative, will the Government state in what way will approved and meritorious service now be recognised?"

The Hon'ble Mr. Fenton replied :—

"(*a*) What His Lordship the Secretary of State has ruled is that it shall be incumbent on Local Governments to submit for the orders of the Government of India and the Secretary of State all cases in which it is proposed to make to any civil official or ex-official a grant of land involving a concession not provided for by the ordinary rules.

"(*b*) The answer to clause (*b*) of the question is in the affirmative; that is to say, approved and meritorious services rendered by civil employés who are Indians, or, in one or two exceptional cases, members of the domiciled community, have in the past been rewarded with grants of Government land where such land was available; but approved and meritorious services rendered by civil employés who are Europeans have not been so rewarded.

"(*c*) In the allotment of land to civil employés in the past such a distinction, as is indicated in the question between those who could not be promoted to higher appointments after the age of 40 and all others, does not appear to have been observed.

(*d*) Approved and meritorious service will be rewarded in the future, as it has been rewarded in the past, by promotion, by pensions and by the grant of honours and titles. It will still be open to the Local Government also to recommend for the sanction of superior authority pecuniary rewards or land grants involving concessions having a pecuniary value, but such recommendations would be made only in very exceptional cases, as a reward for service of extraordinary merit."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Excavation works by Archæological Department.

"In view of the international and great historical importance of the excavations now being made in the Rawalpindi district on the site of Taxila, would the Government consider the advisability of making more liberal grants from Provincial funds for carrying on such works under the Archæological Department?"

[*Mr. Barron ; Bakhshi Sohan Lal*]

The Hon'ble Mr. Barron replied :—

"Government has every desire to recognise the great historical importance of the excavations now in progress at Taxila, which were in fact commenced on the initiation of Government, and has already made special grants of funds towards this object. The Punjab Government has just sanctioned the expenditure of Rs. 8,000 on the acquisition of the land in which the excavations will be conducted, and the Government of India has also recently sanctioned a grant of Rs. 4,715 for the construction of an approach road. The grant for archæological work this year has been increased to Rs. 10,000, a considerable proportion of which will probably be spent on extending the interesting discoveries now being made by the Archæological Department at Taxila."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

New districts of Shekhupura and Kasúr.

"With reference to the answer given by the Hon'ble Mr. BARRON to the question which I put in the meeting held on 13th March 1913, will the Government be pleased to state—

(*a*) whether the scheme for forming new districts in the vicinity of Lahore has now taken a definite shape?

(*b*) whether it is correct that Shekhupura and Kasúr are to be the head-quarters of the proposed districts?

(*c*) and if so, what parts of the present district of Lahore are to be transferred to the new districts?"

The Hon'ble Mr. Barron replied :—

"The answer to the first part of the Hon'ble Member's question is in the negative. The scheme for the formation of one or two new districts in the neighbourhood of Lahore is still under the consideration of Government and the Financial Commissioners. Consequently no decision has yet been arrived at regarding either the head-quarters of the districts or the areas to be included in them if they are formed. When the scheme is further advanced, it is the intention of Government to publish its main features for the information of the public before any definite action is taken in the matter."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

District and Sessions Judge for Kángra.

"Will the Government be pleased to state—

(*a*) whether in the proposed scheme for the District and Sessions Judges in the Punjab, a separate District and Sessions Judge will be appointed for Kángra district?

(*b*) whether the Government and Hon'ble Judges of the Chief Court have received and considered any petitions against the incorporation of Kángra district within one or more of the divisions which are to have their head-quarters in the plains, and if so, what action, if any, has been taken on such petitions?"

The Hon'ble Mr. Barron replied :—

"(*a*) There are to be only 21 District and Sessions Judges for the 28 districts comprising the Province. Every district cannot therefore be allotted a separate District and Sessions Judge. The work in the Kángra district would not justify the appointment of a separate District and Sessions Judge. It is therefore contemplated to continue the existing arrangement under which

[*Mr. Barron ; Bakhshi Sohan Lal ; Mr. Godley.*]

the Kángra and Hoshiárpur districts are included in the jurisdiction of one Divisional and Sessions Judge, whose place under the new scheme will be taken by a District and Sessions Judge.

"(*b*) Government have received a representation from the Bar Association at Dharmsála on the subject, but it was evidently based on a misconception of the intentions of Government ; The only change contemplated in the existing arrangements for the disposal of the civil and criminal judicial work of the Kángra district, which so far as Government is aware have not hitherto caused any inconvenience, is that the District and Sessions Judge of Gurdáspur will be empowered to dispose of the civil judicial work from the Núrpur tahsil. Núrpur is more accessible to Gurdáspur than Dharmsála, and much more so than to Hoshiárpur, so that this arrangement will be greatly to the convenience of litigants."

English teaching in Núrpur School.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

"With reference to the answer to the question which I put in the meeting of the 13th March 1913, will the Government be pleased to state—

(*a*) whether it is a fact that the district board of Kángra has in its meeting held on 10th July 1913 ordered the abolition of the teaching of English in the school at Núrpur with effect from the 1st of April 1914 ?

(*b*) what is the amount contributed in 1911-12 and 1912-13—

(*i*) by the district board ?

(*ii*) by the Local Government ?

(*iii*) and realised from fees and fines ?

"and whether the total receipts under (*i*), (*ii*) and (*iii*) are sufficient to cover the annual expenditure of the school ?"

The Hon'ble Mr. Godley replied :—

"(*a*) The Kángra district board at a meeting held on the 10th July 1913 decided to convert the Anglo-Vernacular Middle School at Núrpur into a Vernacular Middle School, with effect from April 1914. The measure is understood to be connected with the opening of the new Government High School at Dharmsála.

"(*b*) The district board spent Rs. 139 on the school in 1911-12, and nothing in 1912-13 The Government grant was Rs. 1,760 in each of these years. Fees amounted to Rs. 1,743 in 1911-12 and Rs. 2,348 in 1912-13. The receipts covered the expenses."

Pipe water supply for Núrpur.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

"Will the Government be pleased to state—

(*a*) whether considerable difficulty is felt by the people of the town of Núrpur in the Kángra district in summer months every year on account of shortage of water-supply ?

(*b*) whether cholera has recently broken out in the town mainly due to the use of impure water ? and

(*c*) whether there is under the consideration of Government any scheme for pipe water-supply for the town of Núrpur in the Kángra district ; and if so, what is the nature of the scheme and what state it has reached ?"

[*Mr. Thompson ; Bakhshi Sohan Lal ; Mr. Godley.*]

The Hon'ble Mr. Thompson replied :—

"(*a*) The inhabitants of Núrpur are undoubtedly put to considerable difficulty when the rain-water tank on which they usually rely is exhausted. The only other source of supply is the Jabar *nala*, 400 feet below the town.

"(*b*) Seven cases of cholera occurred in the town during the last week of August, and one in the first week of September. Of these three were imported from outside. The Sanitary Commissioner reports that there is no reason to believe that the water-supply was contaminated or that it was responsible for any of the cases which occurred.

"(*c*) The question of improving the water-supply has long occupied the attention of Government. A rough scheme, of which the cost was estimated at Rs. 20,000, was drawn up in 1904, and two years later the Sanitary Board sanctioned a grant-in-aid of Rs. 6,000. The scheme, however, has hung fire as the committee of the notified area has not been able to provide the rest of the sum required. An application for a further grant has recently been received, which will be considered by the Sanitary Board.

"The Sanitary Engineer has recently revised the rough project, and reduced the estimated cost to Rs. 17,657 exclusive of departmental charges.

"The scheme provides for a daily supply of five gallons per head. The water will be taken from the Jabar *nala* passed through settling tanks and filters and pumped up to the town by a turbine-driven pump, the fall in the *nala* being used for power."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :— Scholarships on communal differentiation.

"Will the Government be pleased to state—

(*a*) if the rules for the award of Government scholarships to the successful students in the Matriculation and F. A. Examinations have under orders of the Government been recently changed so as to introduce a system of communal and racial differentiation in the matter, with the result that in future scholarships are to be awarded not necessarily to the best in order of merit as has heretofore been the case, but according to the religious profession of the students ?

(*b*) whether, before the sanction of the new rules, the Punjab University was asked to give its opinion on the proposed changes, and whether a sub-committee of the University presided over by the Director of Public Instruction, Punjab, reported against the proposal, and the Vice-Chancellor and the Syndicate unanimously opposed the change ?

(*c*) if the system of granting scholarships on communal basis, as opposed to grant in order of merit, obtains in any other province in India, and if not, will the Government be pleased to make public the reasons which have led it to adopt this system in the Punjab ?"

The Hon'ble Mr. Godley replied :—

"(*a*) The Hon'ble Member's question refers to certain changes which have recently been sanctioned in the mode of awarding Government scholarships tenable in Arts Colleges. College scholarships, exclusive of any scholarships which may be founded by local bodies or private beneficence,

[*Mr. Godley; Bakhshi Sohan Lal.*]

are provided by Government and the University jointly. The arrangement in force before was that 14 Government scholarships tenable in Colleges were allotted to Muhammadan students, while 7 others were reserved for Sikh and Hindu Jat and Rajput agriculturists, the remainder being open to all classes. Under the new arrangement the number of Government scholarships has been raised from 49 to 64, 30 Government scholarships have been assigned to Muhammadans, a provision of 10 reserved scholarships has been made for Sikhs, and the remaining 24 Government scholarships, instead of being open to all, have been reserved for Hindus and students of other denominations. Eight of these scholarships will be awarded to the sons of Hindu and Sikh Jat and Rajput agriculturists. University scholarships, as distinct from those provided by Government, will continue to be awarded solely by place in the examination lists: there are 33 such scholarships, and the total number of Government and University scholarships has been raised from 66 to 97. The object of the change is to increase the scholarship provision in such a way as to ensure that the benefit of the extra expenditure from provincial revenues shall be distributed among the various sections of the population, and shall reach in particular those classes or communities which, being educationally backward, are in need of special assistance of the kind. The reservation of Government scholarships for Hindu students may possibly be deemed to be unnecessary, and if it appears that there is a strong opinion in favour of such scholarships being open to all classes, the Lieutenant-Governor is prepared to reconsider this point.

"(*b*) The points on which the opinion of the University Syndicate was invited were general questions affecting the award of all College scholarships, and not solely the number and distribution of Government scholarships. The Sub-Committee referred to recorded an opinion that there should be open as well as closed scholarships, and the Syndicate endorsed this view.

"(*c*) Scholarships reserved for particular communities or localities have been provided by Local Governments in other parts of India"

Determination of scholarships according to college fees.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked:—

"Will the Government be pleased to state—

(*a*) if the amount of scholarships to be awarded to a successful student in the Matriculation and F. A. Examinations is to vary according to the fees charged by the various Colleges, and if so—

(*b*) whether this will result in the admission of all or nearly all scholarship-holders in the Government College; and

(*c*) whether the various aided and unaided colleges which charge smaller fees than the Government College will be prejudicially affected by these rules, while some of the scholarship-holders, who on account of their poverty depended mainly on scholarship for their maintenance, will be deprived of the advantage of admission to a college charging smaller fees. If so, what reasons have led the Government to adopt this system?"

The Hon'ble Mr. Godley replied:—

"The amount of a Government scholarship will be in future Rs. 10 per mensem in all cases, together with payment of the college fee. Such scholarships, therefore, will be of equal value in all colleges. University scholarships, on the other hand, are fixed cash payments, the value of which to the scholarship-holder will depend upon the fee charged by the college which he joins.

[*Bakhshi Sohan Lal ; Mr. Fenton.*]

The Hon'ble Member need hardly anticipate at this stage that all holders of Government scholarships will join the most expensive college, and that the interests of the cheaper colleges will in consequence be prejudicially affected. With regard to the further suggestion that the poorer class of scholarship-holders will lose by the arrangement, it may be worth explaining that previous to 1911 the value of a Matriculation scholarship was Rs. 12 per month, from which under the rules a fee of not less than Rs. 4 had to be deducted even in the cheapest college, leaving a margin of Rs. 8 per month to the holder. In 1911, with an increase in the amount of the scholarship, the corresponding margin available could not exceed about Rs. 10, but might be considerably less ; whereas under the new conditions the scholarship-holder is assured of Rs. 10 per month in any college which he chooses to join. The case of scholarships at the Intermediate stage is similar, so that there is no ground for the supposition that students of the poorer classes will suffer any pecuniary loss as a result of the new system of payment."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

Temporary Assistant Engineers.

" Will the Government be pleased to state—

(*a*) the number of the temporary Assistant Engineers at present in employ of the Punjab Government, and the proportion which this number bears to the number of permanent appointments sanctioned in the Public Works Department, Punjab, in its Buildings, Roads, Railways, Surveys, Telegraphs, Irrigation and Sanitary Branches ?

(*b*) whether in view of these figures the Government will consider the advisability of increasing the numerical strength of the permanent appointments of the Engineers and Assistant Engineers in the Public Works Department, Punjab, and thus ensure the advantages of promotions, leave and pensions to the persons who render lifelong service to the Government as temporary hands ? "

The Hon'ble Mr. Fenton replied :—

" (*a*) The number of temporary Engineers at present employed is 60, and the proportion which this number bears to the number of permanent Engineer appointments sanctioned for the Public Works Department, Punjab, is as 60 is to 163 or $\frac{60}{163} = \cdot 37$ about.

" (*b*) It is not at present considered advisable to increase the cadre of permanent Engineers with the object of bringing temporary Engineers on to the permanent estahlishment. "

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

Pay of Police Inspectors.

" With reference to the Report of the Police Commission (1902-03), an Inspector of Police being equal in grade to a Tahsildar, will the Government be pleased to state whether it is proposed to raise the starting pay of a Police Inspector from Rs. 150 to Rs. 175 per mensem, as has been recently done in the case of the Tahsildars ? "

[*Mr. Thompson ; Bakhshi Sohan Lal ; Mr. Fagan ; Mr. Barron.*]

The Hon'ble Mr. Thompson replied :—

" The pay of all ranks in the Police Department was fully considered and fixed by the Government of India on the recommendation of the Police Commission not many years ago, and there is no proposal at present before Government to depart from the scale in the case of Inspectors which has been found suitable. "

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

Land Alienation Act

" Is the Government aware that the aims and objects of the Punjab Land Alienation Act are being evaded by certain non-agricultural classes and individuals by getting themselves recorded wrongly as Rajputs, Pathans and Sayads, &c., in transfer deeds, mutation registers, settlement records and Census returns ? "

The Hon'ble Mr. Fagan replied :—

" (*a*) Government is fully aware that attempts are made to change tribal designation from that of a non-agricultural to one of an agricultural tribe in order to evade or defeat the provisions of the Punjab Alienation of Land Act. The subject has been repeatedly noticed in the annual reports on the working of that Act and in the Land Revenue Administration Reports. The Financial Commissioner in his circular No. 6, of 13th December 1906, issued detailed instructions as to the manner in which cases which involved a question of change of tribal designation should be dealt with. It is believed that they have been effective in checking evasions of the kind under reference. "

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

Character of Zaildar of Sanghoi.

" Will the Government be pleased to inform the Council of the result of the enquiries conducted by the Superintendent of Police, Revenue Assistant and Deputy Commissioner of Jhelum district, under orders of the Government, on the petition of certain residents of the village of Sanghoi complaining against the character of the Zaildar of that village ? "

The Hon'ble Mr. Thompson replied :—

" The enquiries referred to in the question were made in June 1912, and disclosed a very unsatisfactory state of affairs in the village of Sanghoi. Owing to rivalry between the leading men of the place and faction feeling between the various sects the villagers had been for some time giving a great deal of trouble to each other and to the local authorities. The special attention of the District Magistrate was directed to the state of the village, and he proposed to take the necessary measures to restore peace and tranquillity. "

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

Railway extension from Pathánkot to Núrpur.

" Will the Government be pleased to state whether there is under consideration any scheme for Railway extension from Pathánkot to Núrpur, and the stage which it has reached ? "

The Hon'ble Mr. Barron replied :—

" A scheme for the extension of the broad-gauge railway from Pathánkot to Núrpur is under consideration. The survey was carried out last year. At present an addition to the project in the shape of a further extension on the 2′ 6″ gauge beyond Núrpur to Katlu causeway and perhaps to Baijnáth is being examined."

[*Mr. Muhammad Shafi ; Babu Gajjan Singh ; Mr. Thompson.*]

The Hon'ble Khan Bahadur Mian Muhammad Shafi :—

District and Sessions Judges' scheme and Punjab Courts Act.

" As the answer to my following question has already been given I do not wish to put it separately :—

' Will the Government be pleased to state for the information of the Council—

(*a*) When will the scheme of appointment of District and Sessions Judges, sanctioned by the Secretary of State some time ago, be actually introduced in the Punjab ?

(*b*) What is the reason of the delay in introducing the Bill to amend the Punjab Courts Act necessitated by that scheme, and when is the Bill likely to be introduced in the Council ? "

The Hon'ble Babu Gajjan Singh asked :—

Raids and dacoities in the western districts.

" Will the Government be pleased to state for the information of the Council—

(*a*) The number of raids and dacoities committed in each month from August 1912 to August 1913 in the western districts of the Punjab ?

(*b*) The number of murders or cases of serious injuries to persons caused by dacoits ?

(*c*) The value of the property looted ?

(*d*) The value of the property recovered ?

(*e*) The number of cases detected and the number of convictions secured ? "

The Hon'ble Mr. Thompson replied :—

" The detailed monthly statistics are not readily available. In the districts of the Western Range, the total number of dacoities during 1912 was 69, the number of murders committed by dacoits 6, the value of the property looted Rs. 47,900 and the value of the property recovered Rs. 3,200. 40 cases and 58 persons were sent up for trial and convictions were obtained against 17 persons in 25 cases. Some of the 17 persons convicted must have been convicted in more cases than one.

" The only monthly figures which can be given are those relating to the number of dacoities. They are as follows :—

August	1912	...
September	"	1
October	"	2
November	"	3
December	"	9
January	1913	16
February	"	5
March	"	14
April	"	5
May	"	2
June	"	1
July	"	1
August	"	1

" During the first 8 months of the current year there have thus been 45 dacoities as compared with 54 during the same months last year."

[*Babu Gajjan Singh ; Mr. Thompson ; Mr. Barron.*]

The Hon'ble Babu Gajjan Singh asked :—

Measures to prevent raids.

"Will the Government be pleased to say what measures they have taken to prevent the further growth of such offences ?"

The Hon'ble Mr. Thompson replied :—

"The measures taken for the suppression of this form of crime are described in the Police Report for 1912. There is reason to believe that several of the gangs have been broken up, but the Government is fully alive to the seriousness of the situation and the necessity of employing all the means that the law provides to ensure security of life and property. For indications of future policy I may draw the Hon'ble Member's attention to His Honour's recently published review of the Police Report."

The Hon'ble Babu Gajjan Singh asked :—

Raised platforms at Rájpura station.

"Is the Government aware that considerable inconvenience is caused to the travelling public at the Rájpura Junction Station by there being no raised platform on the side on which the down trains are made to stop, which makes it difficult for passengers, especially women and children, to get into the compartments on account of their height from the low ground ?

"Is the Government aware that new raised platforms with sheds over them had been built for the double line at much smaller stations in the neighbourhood of Rájpura, and that a raised platform with a shed on the side on which down trains stop is badly needed at Rájpura ?

Overbridge at Rájpura Junction.

"Is the Government aware that passengers coming from trains from Patiála to Rájpura Junction are put to considerable inconvenience by there being no overbridge on the west side of the station to connect the old platform with the new one on which the down trains are received, the result being that passengers alighting from Patiala trains have to walk the whole length of the old platform to get on to the old bridge on the east side of the station (connecting the town of Rájpura with the railway station) from which they descend to the new low-lying platform ?"

The Hon'ble Mr. Barron replied :—

"This Government has no information regarding the points raised by the Hon'ble Member. The three questions will be transmitted to the Agent, North-Western Railway, for consideration."

The Hon'ble Babu Gajjan Singh asked :—

Offences against the Rakh at Hissar.

"Will the Government be pleased to state the number of villages that adjoin the Rakh at Hissar and the amount of fine realised from the residents of those villages during the last five years for offences against the said Rakh ?"

The Hon'ble Mr. Thompson replied :—

"The number of villages that adjoin the Hissar Rakh is 21, and the total amount realised by way of fine and compensation from the resident of those villages during the last five years Rs. 13,682 as follows :—

		Rs.
(1) Fines under the Indian Forest Act, 1878	...	273
(2) Compensation under section 67 of the same Act	...	12,111
(3) Fines under other laws	...	43
(4) Rakh Cattle-pound Income ...	...	1,255

[*Babu Gajjan Singh ; Mr. Godley ; Mr. Barron.*].

The Hon'ble Babu Gajjan Singh asked :—

Sikh Inspectors of Schools.

"Is the Government aware that there is not a single Sikh Inspector or District Inspector in the Educational Department of the Province?"

The Hon'ble Mr. Godley replied :—

"The number of Sikhs employed in the school inspecting staff is at present as follows :—

Divisional Inspectors	...	...	...	None.
Assistant Inspectors	...	...	...	2
District Inspectors	...	...	...	1
Assistant District Inspectors		...	...	5

"The fewness of Sikh officers in the higher branches of the educational service is due to the dearth of qualified Sikh applicants for educational employment. Thus in 1910-11 there were only 10 Sikh students in the Training College, and in 1911-12 only 18 out of a total of 229."

The Hon'ble Babu Gajjan Singh asked :—

Hindus, Muhammadans and Sikhs in the Education Department.

"Will the Government be pleased to state the number and give the qualifications of Hindus, Munammadans and Sikhs in the Educational Department who have been taken direct on a salary above Rs. 100 per mensem or who have received special promotion during the last ten years?"

The Hon'ble Mr. Godley replied :—

"I shall be glad to supply the Hon'ble Member with the departmental lists published during the last ten years, and also with any information relating to individual officers which is available, should he desire it. Direct appointments to the higher grades are rarely made, but a number of headmasters and others employed in municipal schools were transferred to Government service in 1905, when these schools were provincialised. Promotion is given mainly by seniority, provided that the senior officer is considered to be qualified for the duties of a post in a higher class. A large number of promotions to higher rates of pay have been made in the current year as a consequence of the re-organisation of the Subordinate Educational Service, and it would be difficult to say which of these promotions should be classed as special : all were determined by the work, qualifications and position in the service of the persons concerned."

The Hon'ble Babu Gajjan Singh asked :—

Strength and constitution of Secretariat, Chief Court and Education offices.

"Will the Government be pleased to give the total strength of the clerical staff in the following offices, specifying the number of Hindus, Muhammadans and Sikhs :—

(1) Secretariat offices.

(2) Chief Court of the Punjab.

(3) Director of Public Instruction's office.

(4) Offices of the Inspectors of Schools."

The Hon'ble Mr. Barron replied :—

"The statement* placed upon the table gives the information required."

* See Appendix F.

[*Babu Gajjan Singh ; Mr. Barron.*]

The Hon'ble Babu Gajjan Singh asked :—

Sikhs in Provincial Civil Service and in Subordinate Judicial and Executive Service.

" Will the Government be pleased to state the number of Sikhs and the total strength of the incumbents on the respective posts of Extra Assistant Commissioners, Munsifs, Tahsildars, Naib Tahsildars, and Superintendents, Vernacular Offices."

The Hon'ble Mr. Barron replied :—

" I place on the table a statement* giving the information asked for as regards Extra Assistant Commissioners, Tahsildars, Munsifs and Naib Tahsildars. Information regarding Superintendents of Vernacular Offices is not kept at the head-quarters of Government."

The Hon'ble Babu Gajjan Singh asked :—

Jhatka shop at Multán.

" (*a*) Has the attention of the Government been drawn to the various articles published in the *Khalsa Advocate* of Amritsar of the following dates :—

May 8th, 1912 ; May 22nd, 1912 ; June 28th, 1912 ; July 19th, 1912 ; August 2nd, 1912 ; August 16th, 1912 ; August 23rd, 1912 ; August 30th, 1912 ; September 6th, 1912 ; October 11th, 1912 ; February 8th, 1913 ; February 15th, 1913 ; February 22nd, 1913, and March 1st, 1913, dealing with the *jhatka* question ?

" (*b*) Has the attention of Government been drawn to a judgment of the Chief Court of the Punjab as reported in No. 26, Punjab Weekly Reporter, 1912 (Criminal), deciding in favour of *Jhatka* ?

" (*c*) Is it a fact that the Deputy Commissioner of Multán district has refused permission to the opening of a *jhatka* shop there and that widespread discontent prevails among the Sikhs of the province ? "

The Hon'ble Mr. Barron replied :—

" Government has had its attention directed to numerous articles in the public Press on the subject of *jhatka* meat during the past 18 months, and also to the judgment of the Chief Court quoted in part (*b*) of the question.

" Government is not aware of the action ascribed in the part (*c*) of the question to the Deputy Commissioner, Multán, and has no reason to believe that that action, if correctly reported, has caused any widespread discontent in the Province. It was open to any persons who felt themselves aggrieved locally by the Deputy Commissioner's order to apply to the Commissioner in his executive capacity as a controlling officer for a review of that order."

The Hon'ble Babu Gajjan Singh asked :—

Prosecutions for *Kirpan*.

" (*a*) Has the attention of the Government been drawn to the leading articles in the *Khalsa Advocate* of the 30th August 1913 and the *Loyal Gazette* of the 31st August under the headings of " *Kirpan* and official aberrations " and " Religious liberty of the Sikhs and Police, " respectively ?

" (*b*) Is the Government aware that *Kirpan* is a sacred religious symbol of the Sikhs and is one of the five articles (*Kakkas*) enjoined by the tenets of the Sikh religion to be carried by every Sikh on his person, and that from time immemorial Sikhs have been carrying this symbol on their person without any let or hindrance ?

* See Appendix G.

[*Babu Gajjan Singh ; Mr. Barron ; Babu Gajjan Singh ; Mr. Fenton.*

" (c) Is the Government aware that one Nihal Singh, Nihang, resident of village Koharka, in the tahsil of Taran Taran, was prosecuted by a Muhammadan Sub-Inspector of Police for possessing a *Kirpan* under section 19 of the Arms Act and was acquitted after a lengthy trial by Lala Dina Nath, Additional District Magistrate, Amritsar, by his judgment dated the 7th March 1913?

" (d) Is it a fact that a Nihang Singh has been convicted at Sargodha for possessing a *Kirpan* and that some Sikhs have been deprived of the possession of *Kirpans* in the Attock district?"

The Hon'ble Mr. Barron replied :—

"The attention of Government has been drawn to the articles quoted in the question, and Government is aware that the *Kirpan* is one of the five articles which every Sikh is enjoined by his religion to wear on his person. Government has no desire to interfere with the carrying of religious symbols by the followers of any of the creeds professed by the people of the Punjab. It is a fact that prosecutions for carrying daggers have lately been instituted in the Amritsar, Shahpur and Attock districts, in which the accused being Sikhs pleaded that the daggers were *Kirpans*. Government is not prepared to admit, without further enquiry, that daggers capable of being used as dangerous weapons of offence come within the category of religious symbols, and should therefore be exempt from the provisions of the Arms Act. The question is being considered on references from the Commissioners of Lahore and Ráwálpindi. But it may be at once stated that Government has no intention of interfering with the possession of the small daggers ordinarily used as *Kirpans* which are virtually useless for offensive or defensive purposes. It appears, however, that what was intended to be a religious symbol has been in some cases so increased in size and length as to become capable of being used as a weapon of defence or offence. A specimen forwarded by the District Magistrate of Amritsar is placed on the table for the information of the Council."

The Hon'ble Babu Gajjan Singh asked :—

"Is the Government aware that considerable inconvenience is experienced by the people of Sonepat on account of there being no metalled road to connect the town of Sonepat with the town of Rohtak, the head-quarters of their district?" Metalled roads between Sonepat and Rohtak.

The Hon'ble Mr. Fenton replied :—

"The metalling of a district road is primarily a matter for the District Board. It has been ascertained that the District Board of Rohtak intends to provide a metalled road from Sonepat to Rohtak as early as possible."

The Hon'ble Mr. Barron :—

"Before we pass from the questions may I ask Your Honour to rule under rule 15 of the rules for asking questions that I may give the answer to the following question which stands in the name of the Hon'ble Rai Bahadur Hari Chand :—

Is it a fact that from October next the Up and Down Kárachi Mail will go *viá* Khánewal-Lodhrán Chord and not through Multán as at present? Karachi Mail.

"It is a matter of public interest which will be out-of-date before another meeting."

[*His Honour the President ; Mr. Mant.*]

His Honour the President having ruled that an answer should be given the following answer was given :—

"It is a fact that the Administration of the North-Western Railway contemplates the change in the route of the Karáchi Mail train mentioned in the question. The object of the change is to give Karáchi a better adapted and accelerated service to and from Delhi, Bombay and Simla. There will be a saving of two hours in the journey between Lahore and Karáchi, and the trains will arrive and depart at more convenient times. To serve the Multán traffic shuttle trains will be run between Multán and Samasatta, and Multán and Khánewál in connection with the mail trains, so that but for the inconvenience to through passengers of changing carriages at Lodhrán and Khánewál, the town and district of Multán will in certain respects secure a better train service than they have at present."

PUNJAB FISHERIES BILL.

The Hon'ble Mr. Mant moved for leave to introduce the Bill to extend the law relating to Fisheries in the Punjab. He said :—

"The Bill which I beg leave to introduce is a small one, but I will endeavour to show that it is not unimportant, and also that legislation is not being undertaken without careful consideration. The first enquiry into the fisheries of this province of which I have been able to find any record began in the year 1869, and the results were embodied in a report on the Fresh Water Fish and Fisheries of India and Burma by Surgeon-Major Day, then Inspector-General of Fisheries in India. This report, which issued in 1873, showed firstly that the majority of the inhabitants of the Punjab were not precluded by their religion from eating fish, secondly that the supply of fish was generally insufficient, and thirdly that that supply was decreasing owing to wasteful methods of capture and the indiscriminate slaughter of breeding fish and their fry. Dr. Day attributed these results partly to irrigation weirs and canals, which prevented the spawning fish from ascending to their natural breeding places and also caused wholesale destruction during canal closures, and partly to the fact that the old system of letting out fishing grounds to contractors had been abandoned under British rule.

2. "Dr. Day made out a strong case for legislation, but the Government was even slower to move in those days than it is now. Although the Punjab Government sent up a draft Act and rules in 1880, it was not till 1893 that a Bill on the subject was introduced in the Council of the Governor-General. Even then the action proposed was very cautious and tentative. As explained in the Statement of Objects and Reasons and in the speech of Sir Philips Hutchins who introduced the Bill, the Government of India were very reluctant to interfere in any way with private rights. It was only proposed to forbid certain practices, which are undoubtedly injurious, such as dynamiting and poisoning, and to empower the Local Government to regulate certain matters such as the erection of weirs and fixed engines and the dimensions of nets to be used. It was intended that the power to make rules should be applied with great caution, and restricted at first to a few selected hill-streams and head-waters to which many of the species of fish most prized for food resort for spawning purposes. Sir Philip Hutchins further stated that 'another and not unimportant object is to gain information and experience as to the sort of protection needed, as to the private rights and customary practices (if any) which the public interests

[*Mr. Mant.*]

require to be controlled, and as to the best lines on which any more elaborate or extensive legislation (if such should be required) may hereafter be based'. The main provisions of this Bill were generally approved by Local Governments and eventually became law in the Indian Fisheries Act of 1897. These provisions were not effective in stemming the tide of destruction for reasons which I will explain later. In 1910 Sir Louis Dane deputed Mr. Dunsford, a retired police officer, to enquire into the subject, and the latter submitted an interesting report, in which he showed that the natural production of fish is obstructed now by precisely the same causes as Dr. Day found in operation 40 years ago. The only difference is that through long neglect the evil has gone much further, and in some waters the fish supply is in danger of total extinction. Our late Lieutenant-Governor was not the man to take up an attitude of *non possumus* in a matter of this kind. He maintained that it was of sufficient importance to demand the constant attention of a whole-time officer, and he accordingly obtained the requisite sanction to the appointment of a Director of Fisheries for a period of three years. The officer selected for the appointment was Mr. G. C. L. Howell of the Punjab Commission who had studied the subject of fisheries in America and elsewhere. Mr. Howell has already taken up the question of remedying the damage done by the canals by providing ladders for the fish to ascend in the breeding season and ponds and reservoirs where they can take refuge when the canals are closed. I need not trouble the Council with further details of these measures, as they are outside the scope of the present Bill.

"3. Before coming to the Bill itself I want to give the Council some idea of the magnitude of the interests affected. It is not of course possible to frame any reliable estimate of the annual consumption of fish in the whole Province. We have only a few figures collected from dealers in the large towns. I cannot vouch for the accuracy of these figures, but I give them for what they are worth. In Lahore the sales are said to run up to 120 maunds a day whenever that amount is available. The European population does not take more than 12 maunds, so the greater part of the demand must be from the city. In fact the largest contractor says that he could easily dispose of ten times his present supply in the city. In other large towns and cantonments, such as Delhi, Ambála and Multán, the consumption is said to range from 20 to 40 maunds a day. As an instance of the demand in rural tracts it is reported that 20 years ago no one would eat fish on the Hoshiárpur side of the Beas near Talwára. Now it is quite a common practice for women living 5 or 6 miles away from the river to give the fishermen an advance with instructions to send them any fish they can catch. I need not perhaps multiply instances to show that the demand for fish in the Punjab far exceeds the supply. The fact is probably well known to most Members of the Council. If further corroboration is needed I would refer to the course of prices. Enquiries made in 1872 showed that the price of fish at that time generally ranged from ⅓rd of that of mutton to an equal price with it. The price of mutton was not stated. In 1889 Sir Richard Dane, then Deputy Commissioner of Hoshiárpur, who by the way was a keen fisherman and likely to be accurate, reported that river fish fetched an anna a seer and tank fish ½ anna per seer. Mr. Dunsford states in his report that the present price of fish averages from 5 to 6 annas per seer at all market centres, and, when the supply is scarce, rises to eight annas a seer. Now a reduction of even one anna on the seer means a saving of Rs. 250 a day, or over Rs. 80,000 in the year, to the inhabitants of Lahore city alone with its reputed daily consumption of 100 maunds. When we consider the consumption of the whole Punjab and the large reduction in price that will probably ensue if we succeed in restoring the bountiful rivers of this province to their old fecundity, it is clear that we have in view a very large

[*Mr. Mant.*]

saving to the community. And it is a saving which will not involve any material increase in expenditure. The development of the Punjab is at present hampered by a great rise in the price of labour, and one of the main factors in that rise is the cost of food. If we can effect a large increase in the supply of fish combined with a considerable decrease in price, the result should be a reduction in the cost of living and a great economic gain to the province.

"4. I turn now to the means by which we hope to achieve this result. The present Fisheries Act has been a failure in the Punjab mainly for two reasons. In the first place the methods of restriction which it authorizes Government to employ are too clumsy, and in the second place its provisions have to a large extent remained a dead letter because no one is particularly interested in enforcing them. For instance, the Act empowers Government to prohibit all fishing for a period of two years in any specified water. This is such a drastic remedy that it has rarely been employed and then only when the depopulation of the waters has gone so far as to be almost irremediable. Government has always felt that it would be wrong to deprive the fishermen of their means of livelihood and the riparian population of this natural food unless there was a very strong case for such action. In the Bill it is proposed to empower Government to prohibit the killing of particular species of fish at certain seasons or in certain areas and also to prescribe a minimum size or weight below which particular species of fish are not to be killed. This will enable Government to exercise all the control that is necessary with the minimum of interference. The fishermen will be able to pursue their avocation unhindered so long as they respect the particular species that stand in need of protection The Bill also empowers Government to prohibit the sale of any fish the killing of which has been forbidden. This provision will probably be more effective than the prohibition of killing. The fishermen won't catch fish if the dealer won't buy them, and it is much easier to watch a stall in a market than to patrol a river. These restrictive powers will be exercised with caution. I cannot say that we have yet acquired all the detailed information which Sir Philip Hutchins regarded as a necessary preliminary to more extensive legislation. But we have learnt a good deal since 1893, and our fisheries department is steadily collating further information as to the habits and needs of the various species of edible fish that breed in Punjab waters. The enquiries of Mr. Dunsford and Mr. Howell have shown that it is necessary to protect some of these species at certain seasons, and it is desirable that Government should have power to act as soon as the Director can make out a good case for a close season for any particular species.

"5. The only other important power taken in the Bill is to prohibit fishing in any specified water except under license. It is intended under this provision to give exclusive licenses to men of the old fishing tribes of which there are many in various parts of the province These men know their business and realize the importance of conserving the breeding fish and small fry, and it is believed that they will be ready and willing to co-operate with Government in preventing destructive methods Their ancestors practically monopolised the industry, and it was only when British rule removed all restrictions that other castes took to fishing and indiscriminate slaughter became common. Moreover, under a system of licenses we shall have on the spot an indigenous agency interested in preventing poaching and wasteful destruction. The licensees will probably be able to bring pressure to bear on poachers without calling in the police, and in this respect also it is hoped that the law can be administered with the minimum of official interference. A similar system is in force in many other countries. In the United Kingdom it is applied to salmon fishing, which is the only commercial inland fishery.

[*Mr. Mant ; Mr. Fenton.*]

It is more generally enforced in Canada and the United States of America. In Japan exclusive rights are granted to fishery associations. To turn to an Indian authority, Sir Krishna Gupta, has expressed approval of the Bill, and it follows the lines which he recommended in his final report on the fisheries of Bengal. To come nearer home still, a licensing system is practised, I understand with success, in Kashmir and in our own State of Chamba. Finally, as I have already pointed out, the system was in force before we came to the Punjab, and the Bill will restore a practice which has the sanction of immemorial usage in the province.

"6. With these remarks I beg to move that the Bill be introduced."

The motion was put and agreed to and the Hon'ble Mr. Mant introduced the Bill.

The Hon'ble Mr. Mant:—

"I have two further motions to move. The Bill will under rule be published in the *Punjab Gazette* two months before it is considered by the select committee. The public will thus have an opportunity of criticising it, and it is also proposed to circulate it to selected officers for opinion. As the subject is a somewhat technical one, no further general circulation seems necessary. I therefore move—

(*a*) that the Bill be circulated for opinion to selected officers;

(*b*) that the Bill be referred to a select committee consisting of the Hon'ble Mr. Fagan, the Hon'ble Rai Bahadur Sohan Lal, the Hon'ble Khan Bahadur Khwaja Yusaf Shah, the Hon'ble Mr. Gracey, and the mover.

"The motions were put and agreed to."

PUNJAB EXCISE BILL.

The Hon'ble Mr. Fenton presented the Report of the Select Committee on the Bill to consolidate and amend the law relating to Excise in the Punjab. He said:—"With Your Honour's permission, I now present the Report of the Select Committee on the Bill to consolidate and amend the Law relating to Excise in the Punjab. At the same time I move that the Bill as amended by the Select Committee be taken into consideration. The presentation of the Report of the Select Committee is a purely formal matter. The report and the amended Bill have been published in the *Punjab Gazette* and have been supplied to all the Members, who, if they have examined the papers, will have learnt that the amendments effected by the Select Committee are neither numerous nor important. The Bill stands substantially as it was when introduced. Some improvements in matters of drafting have been suggested by official critics, but from non-official sources, outside the Select Committee, practically nothing in the way of useful suggestions has been received, notwithstanding the intimation, to which widespread publicity was given by an official *communiqué*, that criticisms were invited. It can only be concluded that the subject matter of the Bill is too technical to interest the general public. Moreover, the circumstance that, except in regard to the enhancement of the penalties for excise offences, the Bill introduces no change of policy in any important matter, but merely seeks to perfect the methods and machinery for enforcing more effectually the policy which has been pursued for several years past, explains and justifies the indifference, if I may so call it, of the public towards a measure which is really of a very humdrum character.

[*Mr. Fenton.*]

"But while it is true that the general public are content to accept without question legislation based on the matured deliberations and recommendations of the expert Excise Committee of 1906, the same cannot be said of the attitude of the small *coterie* who wish to make the people sober by Act of Parliament, and who could not allow the opportunity afforded by an amending Excise Bill to pass without endeavouring to effect a change, not so much in the Excise Law, as in the excise policy of Government. Traces of this attitude are evident in some of the amendments which are down on the *agenda* paper. It will be my duty as Member in charge of the Bill to deal with these in detail when I have heard from those who put them forward the grounds on which they are supported. Several of the amendments standing in the name of the Hon'ble Mr. Shadi Lal are designed to improve the drafting and to correct obvious errors and misprints in the latest edition of the Bill, which have arisen in consequence of the renumbering of the sections necessitated by the changes introduced in the Select Committee. I am greatly obliged to Mr. Shadi Lal for his careful scrutiny of the language of the Bill, and most of his amendments of this character will be accepted. But one or two of Mr. Shadi Lal's amendments and most of those proposed by other Members affect the substance, as distinguished from the mere language of the Bill. Looking at these amendments as a whole I am inclined to draw from them two general conclusions. The first of these conclusions is this, *viz.*, that many of those who seek to promote the cause of temperance make the great mistake of treating as the drink evil in this country, not the growth of drunkenness, if it is growing, not the increase in consumption of liquor, if it is increasing; the most recent figures for the Punjab point to a decrease; it is not the statistics containing information on these points that elicit the disapprobation of the opponents of the Excise Administration. What moves them to indignation is the growth of the Government revenue; and the arguments of such critics, which seek to demonstrate that Government is fostering the liquor trade by taxing it, lead to the paradoxical conclusion that the vendors and consumers of alcoholic liquor must be very different from all other classes of tax-payers. Income-tax assessees, land-revenue payers, salt consumers, importers of cloth, kerosine oil, silver and other customs-paying articles do not bless Government as a benefactor when extra taxation is raised from any of these sources. But when Government levies additional duty from alcohol the cry is raised that official encouragement and countenance are thereby given to the drink habit. The tax is, so to speak, a boon to, not a burden on, the trade; and the growth of the Government income raised by such taxation must, therefore, in the view of these reformers, be treated as an index to the growth of the drink evil.

"The second conclusion which I draw from the amendments before us is that, conformably to the view that the drink evil consists in the realization by the State of revenue from what is regarded as a tainted source, any obstacle which by interfering with the working of the excise machinery would have the effect of impairing its efficiency is to be advocated as a means towards the main desideratum—the diminution of the great evil of the Government excise revenue.

"When I come to deal with the amendments in detail, I shall, I hope, be able to show that they are prompted by mistaken notions such as I have just indicated.

"It needs no demonstration in this Province and to this Council that Government is sympathetic towards the cause of temperance reform. But while the non-official critics of the Excise Administration, judging from the statement of their case presented by the deputations which waited on the Secretary of State in 1907 and 1912, place before themselves, as the ultimate goal to be reached, total and absolute prohibition, it is impossible for a Government in this country, which, as Sir Reginald Craddock reminded us on

[*Mr. Fenton.*]

Wednesday, legislates for the inarticulate millions and not for the well-meaning reformers who meet in conventions, societies and conferences,—it is impossible for such a Government to regard as a practical proposition the entire prohibition and suppression of the use of spirituous liquor in a country in which such use can be traced back for more than thirty centuries to the times of the Rig Veda, when the fermented juice of the divine *Soma* plant, the nectar of the gods, played such an important part in the religious and sacrificial observances of the early Aryans. To this day sacrificial libations of strong liquor are a feature of religious ceremonial in many parts of India.

"The policy of Government then is not and cannot be total prohibition. Its policy has often been formulated as one of the maximum of revenue from the minimum of consumption. Differing from the total prohibitionists as to the ultimate end to be achieved, Government is obliged to take a different view also as to the means to be employed in promoting reform. What the prohibitionists demand is the transfer of the licensing authority from official to non-official hands with a view to the gradual extinction of *all* licenses. A doubt may be expressed whether a transfer of the power to grant licenses from the Collector to non-official bodies would in practice have the effect contemplated. I have recently been privileged to peruse a minute by His Honour the Lieutenant-Governor in which he mentions that a corresponding transfer of the licensing authority in Ireland had exactly the opposite effect. The matter will no doubt be further discussed in connection with the amendments to clause 35 of the Bill. But in justification of the position which Government takes up, that the policy of Government – the maximum of revenue with the minimum of consumption—is a sound one, I shall, with Your Honour's permission, read a short extract from the budget speech of the Chancellor of the Exchequer made in Parliament on 22nd April last :—

"'The estimates of Customs and Excise,' Mr. Lloyd George said, 'were very accurate, when we take into account the difficulty of making a forecast. Last year the spirit duties were very satisfactory in more senses than one, not merely from the revenue, but from a social and economic point of view. The effect of the additional duty imposed in 1909 became more manifest last year than it had been in the previous years. Taking the four years preceding the budget of 1909, the Committee will find that one of them, 1908, was a year of great trade depression, but the consumption of spirits in this country only fell from 40 million to 39 million gallons.

"'But if Hon'ble Members will take the few years since the budget of 1909, they will observe there has been a fall of eight million gallons in consumption of spirits. (*Ministerial cheers.*) At the same time, the revenue has benefited to the extent of an additional two millions. So the State has benefited both ways. (*Ministerial cheers.*) Taking the whole four years together, the consumption of alcoholic spirits is down by £8,750,000 gallons, and the revenue has profited by five millions. I think it may be said that in more than one respect this is one of the most successful taxes ever imposed.' (*Ministerial cheers.*)

"In the face of such results who will say that Government by taking revenue from the liquor traffic fosters it? It is necessary to dwell upon this aspect of the case, because there can be no helpful co-operation between Government and the non-official advocates of temperance reform if the latter allow themselves to be obsessed by the idea that because Government derives a revenue from excise, therefore it is the policy of Government to foster the drink habit in order to increase its revenue. Insinuations to this effect were actually made by some of the members of the deputations which waited on the Secretary of State.

[*Mr. Fenton ; Mr. Shadi Lal.*]

"I ask the Council's pardon for touching upon the thorny and controversial subject of excise policy in a speech on a Bill which makes practically no change in excise policy and principles as distinguished from excise methods and machinery. But I hope that my remarks may have the effect of forestalling much controversial discussion in connection with the amendments before us. If these amendments are approached by Members with the conviction that the efficiency of the Excise Department and the conferment upon it of effective powers to control all licit traffic and to suppress all illicit practices are objects the attainment of which will promote the cause of temperance, then I shall have no misgivings as to the successful emergence of the Bill from the ordeal which it is about to undergo.

"I now move, Sir, that the Bill be taken into consideration."

The motion was put and agreed to.

The Hon'ble Mr. Fenton :—"If I may add a few words, I would suggest that any general remarks which Members may have to make on the Bill as a whole might conveniently be reserved until I make the motion that the Bill be passed, so that we may get on with the amendments."

The Hon'ble Mr. Shadi Lal :—"Your Honour, I move the following 16 amendments that stand in my name together :—

(1) In clause 3 (13) (*d*) substitute the word 'clauses' for 'sub-sections'.

(2) In clause 5 substitute 'or' for 'and' between the words 'maximum' and 'minimum'.

(3) In clause 29 substitute 'or' for 'and' in the third line and 'liquor' for 'spirit' in the fifth line.

(4) In the last line of clause 35 (2) between the words 'to' and 'such' add the words 'the licensing of'.

(5) In clauses 37, 38 and 40 substitute 'clause' for 'sub-clause'.

(6) In the first line of clause 45 substitute 'officer' for 'officers'.

(7) In clause 47 substitute 'department' for 'departments'.

(8) In clause 52 (*a*) omit the word 'such' before 'owner'.

(9) In clause 60 (1) (*b*) substitute '39' for '38'.

(10) Omit the words 'for every such offence' in both the provisos of clause 61.

(11) In clause 62 (*b*) add the words 'under the age of sixteen years' after the word 'child'.

(12) In clause 71 omit the words 'unless he proceeds under section 45, sub-section (2), or'.

(13) In clause 74 omit the words 'commits and'.

(14) In clause 77 for the figures '59,' '60,' '61,' '62' and '63' substitute the figures '61,' '62,' '63,' '64' and '65' respectively.

(15) In the sixth line of clause 79 add the words 'or animal' after 'thing'.

(16) In clause 80 (3) substitute '78' *for* '80'.

"The reasons for these amendments have been communicated to the Hon'ble Member in charge of the Bill. I do not know whether I am expected to give the detailed reasons for any of these amendments here. I understand the Member in charge of the Bill accepts the amendments."

[*Mr. Fenton; Mr. Shadi Lal; Bakhshi Sohan Lal.*]

The Hon'ble Mr. Fenton :—" The amendments standing in the Hon'ble Mr. Shadi Lal's name marked 1 to 16 on the agenda paper will be accepted by Government. "

The amendments were put and agreed to.

The Hon'ble Mr. Shadi Lal :—" I would suggest further that in clause 5 with respect to which amendment No. (2) has been carried and in which the word 'or' has been substituted for 'and' between the words 'maximum' and 'minimum' the words 'respectively' be deleted. *Respectively* means that something goes with sale by retail and something with sale by wholesale. I understand the object of this section is that the limits of maximum and minimum quantity be fixed, not only for sale by retail, but also for sale by wholesale. But if the word 'respectively' is retained, it will probably amount to this that maximum will go with sale by retail and minimum with sale by wholesale. Therefore I do not see the force of the word 'respectively', and if the Hon'ble Member in charge of the Bill agrees, I propose that the word 'respectively' be deleted. "

The Hon'ble Mr. Fenton :—" I have no objection. "

The amendment was put and agreed to.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal moved that for clause 14 the following clause be substituted :—

" 14 (*a*) An appeal shall lie from an original order of an Excise officer to the Commissioner, and no further appeal shall lie from the appellate order of the Commissioner '.

(*b*) The time and manner of presenting and the procedure for dealing with appeals from orders of Excise officers shall be the same as those prescribed for appeals to the District Magistrate in the Code of Criminal Procedure and in the Indian Limitation Act. "

He said :—" Clause 14 in the Bill stands as follows :—' An appeal shall lie from an original or appellate order of an Excise officer in such cases or classes of cases and to such authority as the Local Government shall by notification declare. '

" This practically gives absolute power to the Local Government to ordain in what classes of cases an appeal shall lie and in what classes of cases no appeal shall lie. As a matter of fact, the Local Government may declare that the orders passed by an Excise officer shall be final. This is a very great departure from what the law stood before this Bill was suggested. Section 64 of the old Act of 1896 provided that ' Collectors shall, in all proceedings under this Act, be subject to the control of the Commissioner of Revenue, and all orders passed by the Collector under this Act shall be appealable to such Commissioner in manner provided by the rules for the time being in force relating to appeals from the orders of Collectors. '

" Thus all the orders of Collectors, whose functions are being delegated to Excise officers, were appealable to the Commissioner and no reason has been given by the officer in charge of the Bill to show why this right of appeal has been taken away, or rather why it has been considered necessary to delegate the powers to the Local Government and not to make a provision in the Statute itself. According to my humble experience as a legal practitioner of more than 30 years' standing, people put a great value on the right of appeal, and they are not satisfied by any order of the first court until it is confirmed or considered by an appellate court or appellte officer. It is not a matter of

[*Bakhshi Sohan Lal, Mr. Fenton.*]

mere detail or of mere insignificant importance. It is not a matter in which simple provisions of the Act are to be carried out, but it is a matter of principle, a matter requiring full discussion in the Council, if it is necessary to take away the right of appeal from the orders passed by Excise officers. At the same time this clause gives the Local Government power to select to what authority the appeal may lie. It may declare that the order of one Excise officer will be appealable to another Excise officer, or to the Collector who is to be the head of the Excise Administration, and may often be consulted in the administration of excise work. It cannot be ignored that the Collector is often more particular about realising the excise revenue and in enhancing the excise revenue rather than in caring much for the particular individual case. I do not mean to say that Collectors are not officers who will do justice in all the cases, but at any rate it will be the impression of the people that the Collector is more interested in realising revenue and in enhancing the revenue. So in my humble opinion the appellate authority should be given to an officer who is not directly concerned in realising the revenue, just as in the old law appellate authority was given to the Commissioner.

"I do not think it is necessary to give a second appeal from the appellate order of the Commissioner. Of course, under the next clause, that is, clause 15, the Financial Commissioner may at any time revise any order passed by any Excise officer subordinate to him. He may also revise the orders passed by the Commissioner. In this case my suggestion is that this clause as it stands ought to be replaced by the clause which I have proposed, that the appeal shall lie from the original order of an Excise officer to the Commissioner and no further appeal shall lie from the appellate order of the Commissioner.

"If the right of appeal be given, then the time within which the appeal has to be presented will also have to be provided, and the manner of presenting the appeal and the procedure for dealing with appeals from orders of Excise officers. In my humble opinion the law relating to appeals from District Magistrates, as provided in the Criminal Procedure Code and the Limitation Act, can be adopted in order to make it applicable to appeals from Excise officers. In the old law the manner provided was that the rules for the time being in force related to appeals from the orders of the Collector. That was not very different from this. However, the limitation would be 30 days in both cases, but in that case the rules prescribing the manner for presenting the appeals to the revenue officer were adopted, and I proposed that the rules provided in the Act of Criminal Procedure are more convenient and can be adopted for presenting the appeal and for disposing of the appeal to the Commissioner; and I also recommend that the period of limitation (*i.e.*, 30 days) may be adopted for appeals against the order of the Excise officer, and also that the rules for extension of limitation, as a matter of course, be followed. In my humble opinion this clause requires thorough consideration by this Council, and provision is required to be made by the Statute that the people may know better than what is known from the notifications given by the Government in the Government Gazette. The people will not be satisfied because we have such a notification which will be issued at the discrimination of the Government, or which the Government will issue and withdraw at any time that it likes. So my amendment is that the people must have their right of appeal against all orders of an Excise officer."

The Hon'ble Mr. Fenton :—The Hon'ble Member's amendment exhibits an extraordinary distrust of the Local Government in suggesting, for instance, that the Local Government would ask, say, one Excise Sub-Inspector to hear appeals from another Excise Sub-Inspector. The amendment may be taken exception to on four grounds :—The first is that it is entirely opposed to the spirit of decentralization which is now so much in the air, and to enforce which a measure was,

[*Mr. Fenton ; Mr. Shadi Lal.*]

the day before yesterday, introduced in the Imperial Council. To provide that every single possible order of every single official shall be subject to appeal to the Commissioner is an extraordinarily retrograde proposal. Supposing an Excise Inspector orders a licensed shop-keeper to produce his accounts, is the licensee to refuse to produce them and to be allowed to appeal to the Commissioner? Or supposing an application is made by a shop-keeper to keep open for one hour beyond the authorised time, and the Collector refuses, is he to be allowed to go to the Commissioner and appeal against that order? Or supposing a Collector orders a Sub-Inspector to visit a certain portion of that district, will you allow such a breach of discipline as to admit the right of the Sub-Inspector of Excise to go to the Commissioner and appeal against the Collector's order? We are greatly embarrassed in our administration of the Land Revenue Act from the fact that every order under that Act of every land revenue officer is appealable; and no doubt when that Act too comes under reconsideration, some discrimination will be allowed. The Hon'ble Member no doubt realizes that it would be quite impossible to set forth in the Bill itself a list of all the possible orders that might be passed and to specify the authorities to whom the appeal should lie in each case. Accordingly he has proposed that an appeal should lie to the Commissioner in every case. But this would involve going above the head of the chief officer in the district concerned with excise, the Collector, who is primarily responsible for the Excise Administration, an arrangement which would be contrary to all precedent.

"The motion of the Hon'ble Member also prevents appeals being made to the Financial Commissioner. In important cases it may be very necessary indeed that the Local Government should provide an appeal to the chief revenue officer from the order even of the Commissioner.

"Lastly, the proposal to adopt the appellate procedure of the Criminal Procedure Code is wholly anomalous. The procedure under the existing Act is that of the Land Revenue Act applicable to appeals from Collectors. In no case is an appeal according to the procedure of the Criminal Procedure Code provided in any fiscal enactment whatsoever. The Forest Act, the Customs Act, the Salt Act, the Opium Act, in all these Acts, the appeal lies, not to the criminal courts, but to the superior fiscal authority. I see no reason whatsoever for introducing such an anomaly into the Statute book as to provide for appeals in purely fiscal matters to the Criminal Courts. Of course there are 'offences' under the Act for which convictions can be obtained, but these will be tried before Magistrates and appeals will follow the Criminal Procedure Code.

"I therefore recommend that the Council do not adopt the amendment."

The amendment was put to the Council and lost.

The Hon'ble Mr. Shadi Lal moved that in clause 21 *(d)* (10) the words 'by the licensee for the sale of spirit' after the word 'charged' be added. He said:—"I understand that the Hon'ble Member in charge of the Bill has no objection to accepting this amendment. I should like to make one slight change in my amendment, namely, instead of the word 'spirit' I would substitute the word 'liquor'. If the Hon'ble Member is not prepared to accept it, I will explain the reasons."

The Hon'ble Mr. Fenton:—"I am prepared to accept the addition if it is confined to the words 'by the licensee.' The clause in question relates to the licensees of breweries and distilleries, and the licensee is the licensee of the brewery or distillery. If these three words 'by the licensee' are introduced, there could be no difficulty in ascertaining who is meant"

The Hon'ble Mr. Shadi Lal:—"I have no objection to that. I understand the licensee to be the licensee of the brewery or distillery."

[*Mr. Fenton; Mr. Shadi Lal; Mr. Muhammad Shafi.*]

The Hon'ble Mr. Fenton:—"If you introduce the words 'for the sale of liquor' it may mean some other person."

The Hon'ble Mr. Shadi Lal:—"Yes, I would put it in that way."

The Hon'ble Mr. Fenton:—"The whole section relates to licensees of breweries and distilleries, so that if you confine the word to *licensees*, there will be no misunderstanding."

The amendment as modified was put to the Council and agreed to.

The Hon'ble Mr. Muhammad Shafi:—"Your Honour, I beg to move that in section 26 relating to the sale of liquor and excisable articles the following clause be added—'*no liquor*'—if I may be allowed to substitute 'liquor' in place of the word 'spirit'—'*no liquor or intoxicating drug shall be sold in the immediate neighbourhood of an educational institution or a place of worship*'

"I venture to assure the Hon'ble Member in charge of the Bill that this amendment is not intended to have any detrimental effect upon the revenue realised by the Government from this department, nor so far as I can see will it have that effect. The reasons for which I have ventured to put forward this amendment are self-evident. To my mind the incorporation of this provision in the Excise Law of our Province is calculated to serve the cause of sound morality and of law and order. The unhealthy atmosphere of a drink shop and the disorderly scenes which are very often witnessed in and about it ought to my mind to be removed from the vicinity of educational institutions and places of worship. With reference to places of worship, I would like further to point out that the existence of a drink shop close by is liable to give rise to serious breaches of the peace. For these reasons shortly then I appeal to the Hon'ble Member in charge of the Bill to agree to this being added to section 26, and I trust that the Hon'ble Members will see the reasonableness of this suggestion and will agree to the amendment I propose."

The Hon'ble Mr. Fenton:—"It will, I hope, suffice if I appeal merely to the legal instinct of the Hon'ble Member moving the amendment and ask him to withdraw this motion for the reason that if he examines clause 26 of the Bill, he will see that its main enacting provision is this, *viz.*, that 'no liquor shall be sold except under the authority and subject to the terms and conditions of a license granted in this behalf'. Four exceptions to this provision are allowed in which persons *without license* may, under very special conditions, sell or manufacture or do other acts which by this section may not be done without a license. Now the effect of this amendment will be, that while the main part of the section will enact that no such sale shall take place without a license, this particular addendum will provide that notwithstanding the possession of a license, sales may not take place. The section will thus be directly inconsistent with the section which allows the Collector to grant licenses. Your Honour, we shall have this extraordinary result that if the Collector grants a license for certain premises for the sale of liquor thereon, the licensee will be liable to a heavy fine if under the cover of the license so granted he sells liquor on the premises so licensed. The Government is in full sympathy with the object of the motion, and there is at present a rule, which is observed as far as possible, prohibiting the licensing of premises in the vicinity of places of worship and of educational institutions. The rule is this, that 'all such premises shall as far as possible be located at a distance from

[*Mr. Muhammad Shafi.*]

places set apart for religious usage and religious worship and the public institutions to which all classes of people resort, such as wells, bathing places and also schools, hostels and factories.' Now you will observe that there are the words—'as far as possible'. It is not always possible to secure this desideratum. Take some cases in Simla. In Simla we have Lowrie's Hotel which has got a license for selling liquor and is quite close to the church. Then there is Messrs. Kellner's shop; above it is the Scotch Church, and a little way down the road there is another church, the Union Church. Under the Hon'ble Member's proposal Kellner & Co. would be liable to a penalty to the extent of Rs. 500 every time that they sell a bottle of liquor. Then the Hon'ble Member knows that there is an old established shop in Lahore near the Government College, belonging to Messrs Jamsetjee and Sons. Does he wish to deprive Messrs. Jamsetjee and Sons of their license, or at any rate make them liable, whenever they sell a bottle of liquor, to a penalty of Rs. 500? I think that what the Hon'ble Member desires is that the Collector in granting licenses should carry out the provisions of the existing rules. The words 'as far as possible' in the rule which I have quoted ought to assure him that the Collectors are enjoined to do so to the best of their ability. If the proposed amendment is put into this clause, we will have as a result an extraordinary inconsistency between the two sections of the Act which I have mentioned. It is open to the Hon'ble Member, of course, to move that the power to grant licenses should be taken from the Collector, but that is quite a different matter, and if he moves such an amendment, I shall take an exception to it on the ground of want of notice. For these reasons I oppose this amendment."

The Hon'ble Mr. Muhammad Shafi:—"Your Honour, when I put forward this amendment I, at any rate, had absolutely no intention whatsoever to take away from the Collector the power to grant licenses of the description contemplated by this section, and I am sure that my Hon'ble friend in charge of the Bill knows me well enough to believe that that never was my intention for a moment even. All that I wanted to effect was a very desirable reform which to my mind is one which ought not to be left really to the rules to be framed under the Act, but ought to be incorporated in the Act itself. There may be one or two instances, such as Lowrie's Hotel or Mr. Jamsetjee's shop close by the Government College, which I for one certainly should not be sorry to see closed on account of its being in such close proximity to the Government College, I myself having with my own eyes as a member of the Punjab Association Club, which has its premises adjoining Mr. Jamsetjee's shop, seen some things which I for one regard ought not to be allowed to exist in that corner close by the Government College. To put that matter aside, I submit it is an important thing that such a provision as this ought to be incorporated in the Excise Law. Of course it is a different matter if the Hon'ble member in charge of the Bill is in a position to assure me that in every license under the new Act it will be guaranteed that Government will make it absolutely essential to incorporate in that license a condition that the licensee shall not sell liquor in the immediate neighbourhood of an educational institution or a place of worship. I am willing to withdraw this amendment if such an assurance is given by the Hon'ble Member, but if my Hon'ble friend is unable to give such an assurance, then I, at any rate, think that in the cause of sound morality and law and order, such a provision ought to be introduced in the Punjab Excise Act. So far as the actual place for this provision is concerned, whether it is to be a sub-section to section 26 or an independent section by itself, it is a mere matter of detail, if I may venture to say so. This particular portion of the Act deals with the sale of liquor and intoxicating drugs, and it seems to me that a provision such as I have proposed goes in this part of the Chapter, in a very fitting manner. Whether it is to be a

[*Mr. Fenton ; Khwaja Yusaf Shah ; Mr. Muhammad Shafi.*]

sub-section or a separate section by itself, is really a mere matter of detail. I am quite prepared to agree that instead of its being a sub-section to section 26 it may be section 27 of this Act. If my Hon'ble friend is prepared to give a kind of assurance which will satisfy me and those who have this reform at heart, I am willing to withdraw this amendment."

The Hon'ble Mr. Fenton :—"I can give the Hon'ble Member the assurance that no such sale will be allowed except on the premises of the licensee which are licensed."

The Hon'ble Khan Bahadur Khwaja Yusaf Shah :—"In this connection, Your Honour, I may say it is my personal experience that the Collector, following the rules framed under the Excise Act, generally takes the opinion of the leading members of the district when he is to give a new license, and I think there are instructions of this sort that new licenses should only be granted by Collectors with the opinion of the leading local men and should not be granted for a shop near the place where a school exists or a mosque or a temple exists. I know it as a matter of fact that this opinion is obtained in these days Whenever new licenses are given the Collector generally takes care that the new license is not given to a new shop close to a temple or an educational institution. This is my experience as far as the district of Amritsar is concerned."

The Hon'ble Mr. Fenton :—"I would ask the Hon'ble Member if that assurance will satisfy him."

The Hon'ble Mr. Muhammad Shafi :—"May I be permitted to say that the assurance which the Hon'ble Mr. Fenton has been pleased to give me is merely to this effect that no licensee shall be allowed to sell liquor except on the premises for which the license is granted. Supposing an application is put in by a person wishing to start a drink shop close by a church or a mosque or temple or close by an educational institution, it is no assurance to me so far as the object which I have in view is concerned, that the Hon'ble Member in charge of the Bill will make it a condition of the grant of that license that this licensee shall not sell liquor except on those premises. The objection is against the locality of the premises in relation to a temple or a mosque or an educational institution, so that merely saying that the licensee shall not be permitted to sell liquor or intoxicating drugs except on the premises for which the license is granted is an assurance which does not meet the object which I have in view. Your Honour, if my Hon'ble friend can give an assurance that no license shall be granted for opening a drink shop near a church or mosque or temple or an educational institution,—this is the kind of assurance I want,—I am willing to withdraw my amendment on that assurance being given. Or I give him another alternative. If my Hon'ble friend is prepared to accept a certain other amendment which stands in the name of another Member, that in the case of every license, whether it is being granted for the first time or whether it is the case of a renewal of the license, the Collector will ascertain the opinion of the persons living in the neighbourhood as to whether they would like to have a drink shop or not, that too will meet my object. In the Bill as it stands it is only in the case of new shops which are to be opened after coming into operation of this Act that the principle of local option is to be extended. In the absence of this assurance or of that assurance, having the cause of sound morality in view, I am not prepared to accept the kind of assurance my Hon'ble friend has given me.

[*Mr. Muhammad Shafi; Lala Kashi Ram; Khwaja Yusaf Shah; His Honour the President.*]

"In the course of my practice at the Bar, extending over a period of 21 years, I have come across cases in which in the villages, particularly of the Doab, serious breaches of the peace have occurred between persons who frequent places of worship in villages where these drink shops are open and the persons who frequent these drink shops, because of the disorderly conduct of those persons and because of the obscene songs which they sing after they have taken a little too much, and rows have occurred between the worshippers and the frequenters of these shops. The object I have in view is in the interests of sound morality and law and order. But if the Hon'ble Member is prepared to give the assurance, I am willing to withdraw my amendment because that will meet my object, but in the absence of that assurance, I am very sorry to say that in view of the desirability of the reform I am unwilling to withdraw the amendment."

The Hon'ble Lala Kashi Ram:—"I wish to say a few words in support of the Hon'ble Mr. Shafi on this point. The Hon'ble Member in charge of the Bill has referred to certain cases which look somewhat unreasonable to accept. I am sure I understand the Hon'ble Member aright when I think that the Hon'ble Member is not referring to the cases of large towns and large places which have spacious compounds attached to them like the Government College. Of course I do not know the extent of the grounds which are covered by the Government College, nor of Jamsetjee's shop. The words used in the amendment are 'immediate neighbourhood of a mosque or an educational institution.' I think I will perhaps be supported by the Hon'ble Mover of the amendment that he is really referring to the cases of towns and villages where you may have a mosque situated side by side and actually next door to a drink shop. It is cases of that description that the Hon'ble Mover wishes to avoid, and I think he is therefore right in insisting that an amendment of this description should be allowed and incorporated in the provisions of the Bill which we are now about to pass, or an assurance given. With reference to the remarks which have fallen from the Hon'ble Khan Bahadur Khwaja Yusaf Shah, I think he has anticipated the discussion that we are likely to have on the provisions which are to be the subject of discussion relating to local option. He is referring to certain rules which exist on the subject, and we are not sure whether those rules are to be allowed to stand in the provisions that are now before the Council for discussion."

The Hon'ble Khan Bahadur Khwaja Yusaf Shah:—"I rise to a point of order. I perfectly understood my position. My position was that even in these days Collectors do consult public opinion when they give licenses for new shops, and that they do so when the location is close to a mosque or an educational institution. I perfectly understood the position."

The Hon'ble Lala Kashi Ram:—"I do not say, Your Honour, that the Hon'ble Member did not know it. I only wanted to remark that the Hon'ble Member has simply anticipated the discussion that is to come up on the subject of local option. We are differing as to the extent to which local option is to be introduced in the Bill, and we do not know whether the present practice which prevails of consulting leading citizens or members of local committees which are now constituted under the rules in force, whether those conditions are to continue or not in the new Bill. That subject has yet to be discussed, and the Hon'ble Mr. Shafi has stated that he wants either one understanding or the other to be given before he can withdraw the amendment. I entirely agree with the proposition."

His Honour the President:—"Perhaps the Hon'ble Member (Hon'ble Mr. Fenton) will state the position whether he is prepared to accept Mr. Shafi's amendment that it might be incorporated in the Bill or is willing

[*Mr. Fenton ; Mr. Muhammad Shafi.*]

to give the assurance. If Mr. Muhammad Shafi receives the assurance, he is prepared to withdraw the amendment."

The Hon'ble Mr. Fenton:—"The main reason why I oppose the amendment is that our Council will be simply stultifying itself as a legislative body if we were to introduce in the Bill two such very inconsistent provisions, as that the Collector shall be empowered to license premises for the sale of liquor, but the licensee shall not sell liquor on such premises except under a penalty. If the reform which is desired is to be incorporated anywhere, it should be in the section limiting the Collector's powers to grant licenses, but once the license is granted, the licensee should have the power to do that which the license authorizes him to do. As to the assurance which is asked for that no license shall be granted for such premises, I am not prepared to recommend the omission from the existing rule of the words 'as far as possible.' I just mentioned cases, a few out of hundreds no doubt throughout the Province, which show that it is impossible to give an assurance that in every case of existing established premises the license shall be withdrawn and the sale of liquor shall not be allowed. The result of that would be that many existing established hotels and refreshment rooms would have to cease their business. When we come to section 35 we shall deal with the question whether local option shall be confined to new shops or to existing shops, but I think at the present moment it is premature to anticipate what the result of the debate on that subject will be. Meanwhile the principal reason in opposing this motion is that it introduces two absolutely inconsistent provisions in the Act."

The motion was put and lost.

The Hon'ble Mr. Muhammad Shafi:—"Your Honour, the next amendment—

> *that in clause* 30, *sub-clause* (1), *the age limit be raised from* 16 *to* 18 *years,*

which stands in my name is intended to remove what appears to me to be an inconsistency in this Bill. The Hon'ble Members will see that under section 29, as amended, no licensed vendor and no person in the employ of such vendor and acting in his behalf shall sell or deliver any liquor or intoxicating drug to any person apparently under the age of 18 years, whether for consumption by such person or by another person and whether for consumption on or off the premises of such vendor. While the section I seek to be amended runs as follows:—'No person who is licensed to sell foreign liquor or country spirit for consumption on his premises shall, during the hours in which such premises are kept open for business, employ or permit to be employed, whether with or without remuneration, any child under the age of 16 years in any part of such premises in which liquor or spirit is consumed by the public.'

"Now a close comparison of these two sections will show that while section 30, clause (1), empowers the licensed-vendor to employ on his premises a youth of 17 years of age, to whom liquor or intoxicating drugs may be delivered by the vendor so that the employé may hand that over to the vendee who will either drink the liquor on the premises or will take it home to drink, section 29 makes such a delivery by the licensee himself to this youth of 17 quite illegal. It seems to me that the two sections should be made consistent with each other by introducing the age of 18 years in section 30. Apart from this the object of section 29, if I may venture to say so, is nullified by section 30, for as I understand it the object of section 29 is to introduce in this enactment provisions which would prevent the licensees from selling liquor or delivering liquor to youths under 18 years, whether for their own consumption or for consumption by some one else; while if you leave it open

[*Mr. Fenton; Lala Kashi Ram.*]

to the licensees to employ youths between 16 and 18 years of age in their drink shops, you make it possible, or I may say I am almost certain that these youths of between 16 and 18 years of age who will be employed in these shops, will have opportunities and be liable to the temptation of indulging in drink, and the very object of section 29 will then be defeated. For these two reasons I ask the Council to agree to the amendment which I propose that in section 30 also the age limit should be 18 just as it is in section 29."

The Hon'ble Mr. Fenton: —"The question is not one of very wide importance, but I think that the Council might very well be satisfied with what has already been done. Under the existing rules the age is 14, under the Bengal Act and under the United Provinces Act the age is 14, and in the Central Provinces Bill the age is 14, so that we have made an advance beyond all other Provinces. In raising the age to 16 the Council may take credit to themselves that it is the foremost in this reform. It must be remembered that vendors and licensees very often employ members of their families to assist them, and that in large hotels and in such like places boys under the age of 18 are very often employed on miscellaneous duties, pulling punkhas and running messages. In the hotel in which I am staying at present at Simla there is a boy, certainly under 18 years of age, working as a messenger. All such employment would have to cease if the Hon'ble Member's motion is carried. Therefore I think that the Council might very well be satisfied with the raising of the age from 14 to 16 years, as we are ahead of every Province in this respect."

The motion was put and lost.

The Hon'ble Lala Kashi Ram:—"Before I take up the subject of my amendment, Your Honour, I wish to make some preliminary remarks with reference to the remarks which have fallen from the Hon'ble Member in charge of the Bill.

"It is with reference to the amendment that I now propose before the Council because I wish not to be misunderstood. I hope I will be allowed the opportunity of explaining myself to guard against being misunderstood on the subject. Your Honour, the Hon'ble Member in charge of the Bill has referred to certain amendments moved by certain critics in relation to the policy of Government – that Government policy in the matter of excise liquor is actuated more by a desire to collect revenue than for the welfare of the people or to reduce consumption of liquor. I must at once say that my amendment really is one and is perhaps the only one on the agenda paper which relates to the question of revenue, and possibly the Hon'ble Member in charge was referring to the amendment which I am about to make when he said that he wanted to explain the position of Government to certain critics who may be suspicious of the Government policy. I wish to assure Your Honour that I, at all events, believe that the Government in the policy which is underlying this Act is actuated by the best of motives. I know that the Hon'ble Member in charge of the Bill is himself actuated by the best of motives, but I trust that you will allow that the other persons who are here to do duty as elected representatives of the people are also actuated by the same motives, and I am only referring to some remarks which I need not repeat that they have the effect of discouraging a proper and free expression of opinion upon points which may be the subjects for discussion here before the Council. With these remarks, I hope there will be no chance of my being misunderstood on the subject or that I should be considered as accusing Government of any intention to raise revenue from the Excise Act or by the measure which we are discussing here.

[*Lala Kashi Ram.*]

Your Honour, the subject of my amendment is section 35. I may preface my remarks with a statement of what has occurred since the Bill was before the Select Committee. I happened to see the review of the Government upon the Report of the Excise Administration for the last year after the Bill had passed the stage of the Select Committee. There I came across a certain statement which showed that Government was contemplating to raise the still-head duty. That phase of the question was sought to be discussed by me in the Select Committee, but by a remark from the Hon'ble Member that the extent of our jurisdiction in dealing with the measure would not permit us to go into that question, the discussion was not properly carried through. I subsequently learnt that the sanction of the Government of India to deal with this measure is in general terms and allows us to deal with all portions of the Bill as they stand incorporated in its provisions, that is, the provisions relating to revenue as well as to the other policy for the enhancement of punishment and as regards penalty clauses. It is in this view that I consider it my duty to lay before the Council the aspect of the measure which is sought to be proposed with reference to raising the price or duties on liquor. I may assure you again that I am not at all suspicious of the Local Government, nor is there any want of confidence in the Local Government or its officers. It is only my wish here to ensure that a proper trial should be given to the measure that has already been incorporated, published and discussed and is about to be passed by the provisions of the Act we are discussing here. No step can be taken on which, as a matter of fact, no proper discussion has been carried through.

"The amendment that I propose tries to limit the duties to the present scale as it is fixed now. I understand that the effect of raising still-head duty would be to raise the price.

"I move that in clause 31 after the word *rates* the words *not exceeding the rates in force at the date of the passing of this Act be inserted.*

"In support of my amendment I submit that the Hon'ble Members are aware that the most important feature of the Bill now before them is that it provides for higher penalties for illicit distillation and other cognate offences, and arms the excise officers with much greater powers for the detection and prevention of these offences than are provided in the Act now in force. It is considered that by deterrent sentences only it was possible to cope with the evil of illicit distillation which is believed to be as rife in several places. In this respect the Bill has come out of the Select Committee without any material alteration.

"From the Review of the Report on the Excise Administration of the Punjab for the year 1912-13 which has appeared in the *Punjab Government Gazette* of 5th September it appears that Government contemplates raising the duties on liquor with a view to increase its prices. If this be so, I submit that the effect of the severer penalties provided for in the Bill will be altogether nullified.

"It must be admitted that severer penalties and deterrent sentences will have the effect of checking illicit distillation, but it is equally clear that if duties and fees are increased in proportion to the increase of penalties, the high prices resulting from this increase will be as great an incentive to this illicit distillation.

"Thus the element of high prices, if introduced, will destroy all the beneficial results expected from the present legislation, and practically nothing shall have been done to check the evil which the present measure is intended to remedy. The net result will be that the severer penalties have been provid-

[*Lala Kashi Ram; Mr. Fenton.*]

ed only to secure payment of higher prices, and the measure will have all the appearances of a measure undertaken to increase the excise revenue which is not its object, nor is it necessary.

"It may be said that high prices of liquor are necessary to check the increase of consumption and of the drink habit among the people. In the first place, it is doubtful if the increase which the Government can make in the prices of country liquor, having regard to the prices of various kinds of inferior foreign liquors in the market, will have any appreciable effect in checking liquor consumption. But supposing that it is likely to have that effect, it is submitted that a step which is calculated to help illicit distillation should not be taken unless the full effects of the provisions relating to severer penalties for that offence with the present level of prices have been tried. If the penalties now proposed result in checking illicit distillation, they shall not only bring about an appreciable increase in the excise revenue, but would also result in checking to a considerable extent the drink habit. As it is said that illicit distillation is the chief source from which liquor is obtained for widespread drunkenness which disgraces the marriage and similar ceremonial gatherings.

"Besides this, the proposal to raise the liquor prices along with that to raise the scale of punishments has never been before the public, and opinions have not been invited on it; neither have the public press nor the temperance associations considered this aspect of the Bill, and Hon'ble Members are not in a position to form a proper opinion as to its results on the public interests. It is therefore not right that a step like this should be taken without giving the public a chance, at least of expressing their opinion on it.

"A further reason exists why high prices for liquor should not be introduced along with the measure of severer penalties for excise offences. After the introduction of the Bill the Select Committee have made a provision for ascertaining local public opinion before licensing premises for the sale of liquor. Temperance movement is spreading in the country, and Government have on more than one occasion expressed its intention of helping this movement. There is every reason to believe that, with the help of Government and of the local committees and of the temperance associations, this measure of local option—although so slight—will contribute to some extent to check consumption of liquor.

"I would therefore strongly urge that the Hon'ble Members will see their way to limit the prices and duties at their present level by agreeing to the amendments I am proposing, and that they will not allow the prices to be raised till at least the two measures now introduced have had a fair trial."

The Hon'ble Mr. Fenton :—"I think, Your Honour, I can curtail discussion on this amendment by referring to section 43 of the Indian Councils Act, 24 and 25 Victoria, Cap. 67. It provides:—'It shall not be lawful for the Governor in Council (this applies to the Lieutenant-Governor in Council too), except with the sanction of the Governor-General previously communicated to him, to make regulations or to take into consideration any law or regulation for any of the purposes next hereinafter mentioned, that is to say,—

"'(1) Affecting the Public Debt of India, or the Customs, Duties, or any other tax or duty now in force and imposed by the authority of the Government of India for the general purposes of such Government.'

"This amendment would have the effect of for ever hereafter preventing Government from imposing an excise duty, not only on liquor, but on all excisable articles, in excess of the rates at present in force. Such a provision would be contrary to the power with which the Council is invested. For that reason, apart from the merits into which I need not enter, I oppose this amendment."

[*Mr. Shadi Lal; Mr. Barron; His Honour the President; Mr. Fenton.*]

The Hon'ble Mr. Shadi Lal:—"I differ with the Hon'ble Member in charge of the Bill as to the interpretation of the section."

The Hon'ble Mr. Barron:—"I rise to a point of order. I understand that the Hon'ble Mover's point is that this amendment is out of order in a Legislative Council. That I gather is a matter for Your Honour's ruling."

The Hon'ble Mr. Shadi Lal:—"I want to show that it is in order. Section 43 deals with any Law or Regulation which is introduced for the purposes which are enumerated therein. The present Bill is not one of the Bills which deal with matters of that kind. No doubt there is a clause in the Bill which deals with taxation, but surely it is not intended that when a Bill comes before the Council and one or two clauses deal with the public revenues, the Legislative Council and the Members of the Legislative Council have no right to deal with that matter at all and must fold their hands and say ditto to what the Hon'ble Member in charge of the Bill has to say. In that case what is the object of placing the Bill before the Council?"

His Honour the President:—"I think, leaving aside the legal question, it is better to put the amendment before the Council on its merits."

The Hon'ble Mr. Fenton:—"If that be so, Sir, I would ask your permission to speak on the merits. I venture to state that the temperance associations who advocate this reform will not regard the Hon'ble Member's proposal with very great satisfaction, seeing that their constant endeavour has been to promote every proposal for increasing taxation and reducing consumption. I have stated the facts as regards the effect of increased taxation in the United Kingdom in producing an enormous reduction in consumption coupled with the increase in revenue. I can give the Hon'ble Members chapter and verse as to my assertion that the temperance associations in England are opposed to any curtailment of the powers of Government to raise rates. In the deputation which waited on Lord Morley in 1907 Sir Herbert Roberts, M.P., in his statement of the case says:—'Every increase in duty necessarily increases the cost by precisely the amount of the duty and discourages consumption approximately to that extent. Increase of duty on foreign spirit in 1906 had this effect necessarily'; that is to say, it is recognised by the authorities on such questions that increase in direct taxation has the effect of reducing consumption, so that if the Hon'ble Member's amendment were introduced and Government was fettered for ever hereafter in the matter of increasing rates of duty, the effect would be exactly opposite to that which is anticipated. The Hon'ble Member's motion refers to all excisable articles, and among others are included hemp drugs, which are imported in considerable quantities in this Province. At one time before 1896 *charas* was imported free of duty. In the year 1897 a duty of Rs. 2 a seer was imposed, and those rates were gradually enhanced until at the present time it is Rs. 12 a seer or Rs. 480 a maund. The result has been a decrease in consumption. The decrease in the last four or five years amounts to 16 per cent., coupled with an increase of nearly 19 per cent. in the excise revenue from these drugs, and that I venture to say is an illustration of the proposition that you obtain decreased consumption from increased revenue. If the Hon'ble Member's motion is passed, the effect will be that all further attempts to reduce consumption of this most deleterious drug will have to cease and the limit of Rs. 12 must be regarded as the maximum. Of course I still adhere to the view that such a motion, which would have the effect of fettering the power of the Government of India to increase excise taxation (I may mention that all such taxes have to go to the Government of India for sanction), would at once be ruled out by the legal advisers to the Government of India and the Secretary of State as *ultra vires*. I do not think that the Council would be well advised in courting such a rebuff from the highest

[*Lala Kashi Ram.*]

authorities. I therefore recommend that the Council do not adopt this amendment."

The Hon'ble Lala Kashi Ram:—"I wish to make only a few remarks before the motion is put. I do not know if I am in order. I wish to make one remark with reference to the last remark in opposition to my amendment, that is, that the motion before the Council perhaps would fetter once for all, not only the powers of the Local Government, but also of the Supreme Government. Your Honour has allowed the amendment to be discussed without deciding whether in this case we are barred by the provisions of section 43 I understand that section 31 as it is proposed to be passed is part of the enactment which is to be passed by the Local Council, and the Government of India have really given sanction for the introduction of this Bill and for the repeal of the Act which is at present in force. Therefore what we are doing is really exercising power which is delegated to us by the Government of India themselves. The Government of India can refuse to allow the Local Legislature to interfere in the existing duties and then our hands will be tied. It is really the powers that are delegated to us by the Government of India themselves that we are exercising here by saying that we will limit the duty to the rates at present prevailing, and it is too much to say that it follows from my amendment that it would have the effect of fettering the hands of the Government of India. I do not know by what process of reasoning it can be inferred or stated that the Government of India's power would be fettered by means of the amendment if carried. That is as regards the legal objection, but as regards the merits of the case, I submit I have explained my reasons at length that we ought not in the same measure or in the same Act to adopt two conflicting remedies. I have tried to show that the penalties, as they are now provided by the Bill, should be a sufficient deterrent for illicit distillation, and, on the other hand, that high prices, if they are to be adopted in proportion (they may or may not be, we have no indication as to what the intentions of the Government are as to what rates the duty is to be raised to), will be an incentive to illicit distillation, but we can suppose very well that the Government are waiting the passing of the measure before raising the rates of duty. That shows that the intention is to raise the rates sufficiently high, so that the present scale of penalties would prevent the evil from spreading. I think I would be justified in assuming that the raising of the prices is contemplated in proportion to the increase of the penalties. Therefore I submit before the Hon'ble Council that if the prices are raised in the same proportion as penalties are raised, one measure will kill the other. It is in this respect I object to the two conflicting measures being passed for one object. I have tried to show that the net result of the measure would be that only one thing would be done; the severer penalties would merely affect the question of prices. On the other point we have not heard anything from the Hon'ble Member in charge of the Bill."

The motion was put and lost.

The Hon'ble Lala Kashi Ram:—"In view of the deci[sion o]n the last amendment, I beg leave to withdraw the second amendme[nt] w[h]ich is as follows:—

That in clause 34 (*a*) after the words *such fee* the words *not exceeding the fees payable at the date of the passing of this Act* be inserted."

The Hon'ble Lala Kashi Ram mov[e]d that for sub-clause (2) of clause 35 the following be substituted.—

(2) Before licenses are granted [i]n any ye[a]r for the retail sale of any excisable article the Collector shall take such measures in

[*Lala Kashi Ram.*]

accordance with rules to be made by the Local Government in this behalf as may best enable him to ascertain local public opinion in regard to the licensing and location of shops."

He said :—" This is an amendment which relates to the question of local option. The Hon'ble Members have seen that the Bill which was referred to the Select Committee contained no provision on this subject, and in section 35, clause (2), a provision has been inserted to the effect :—' Before any licence is granted in any year for the retail sale of liquor for consumption on any premises which have not been so licensed in the preceding year, the Collector shall take such measures in accordance with rules to be made by the Local Government in this behalf as may best enable him to ascertain local public opinion in regard to such premises '

" The Hon'ble Members will see that the measure has been accepted. Of course I may say one thing by way of explanation that although I am using the phrase 'local option,' the measure which has been conceded by the clause (2), section 35, is not really a measure of local option, but it is a measure relating to ascertaining local public opinion. Local option is different to some extent, inasmuch as local public option, if allowed, will allow the opinion of the people in the neighbourhood to prevail against the decision, even in spite of the decision of Government officers. Of course it was pointed out that it is not intended to take away the powers of granting licenses from the hands of the Collectors and place it in the hands of the people, and for that reason local option, pure and simple, was not pressed or adopted by the Select Committee. What was allowed was a slight measure for ascertaining local public opinion, ascertaining the wishes of the inhabitants of certain localities before a liquor shop is licensed for that locality. It is with reference to that measure that we are now discussing the proposition. I pointed out that the clause 2 limits the measure to new shops and does not allow anything to be ascertained with respect to the existing shops. On that point I need only refer to the reasons which have been stated in a joint minute of dissent appended to the report of the Select Committee by myself and the Hon'ble Sardar Gajjan Singh. I maintain that if the provision requiring the Collector to ascertain local public opinion is to be of any effect, it must be made applicable to all shops which may be licensed in any year. It is said that Government have themselves been reducing the number of liquor shops during the last few years to such an extent that they are not likely to open new shops. If this is so, it is difficult to understand for what purpose the present provision is inserted. If it is to be made applicable only to new shops and no new shops are to be opened, the provision would be a mere dead letter, and as such objectionable. Sir Louis Dane in his speech on the introduction of this Bill expressed a hope that the Hon'ble Members will consider and advise the Government about the way in which the constitution of local committees can be improved, and that most useful agency extended. He also said he had great hopes from the operation of those committees because it has been found all over the world, not only in India, that Government alone can do very little to stop the drink and the drug habit. He also remarked that as long as the practice of obtaining drink and drugs is not regarded as a social disgrace almost worse than a crime, no amount of legislative interference or executive preventive action on the part of the Government will really stop the practice.

" Your Honour also expects the leaders of the people to prove by their co-operation that the consumption of alcohol is really opposed to the sentiment of the Panjabee. By the amendment I am proposing I am only asking that occasions for the co-operation of local committees and of the leaders should not be limited only to new shops or premises unlicensed in the previous year, which may never arise.

[*Lala Kashi Ram ; Mr. Fenton.*]

"In the opinion of the Government officers the closing down of liquor shops may have reached a point beyond which it may not be safe to go. The provision relating to ascertaining public opinion before licensing premises does not take away the power of licensing premises from those officers. All that it provides for is that people should have chance of informing the Government and its officers that they do not want a certain shop, and it is only in this way they can show that the consumption of liquor is opposed to their sentiment. Even if this small measure of local option, which is no local option at all, is denied, it is difficult to understand in what way Government are helping the people to show their sentiment against liquor.

"The provision relating to ascertaining local public opinion as it stands is also bad on the ground that it makes no allowance for change of circumstances or surroundings of existing shops. A shop in a certain locality may be unobjectionable to-day, but circumstances may change and places of worship or educational institutions may spring up in its vicinity or other causes may render its continuance objectionable in the locality. It may be that cent. per cent. of the population in a certain locality object to its continuance there. Is it right that the people should have no chance or the right to object to it?

"The existing rules relating to local option allow for the appointment of a committee for each district to consider the number and location of liquor shops. The committees are to advise, not only as to the number of Indian spirit shops, but also of shops licensed for the bazar sale of foreign spirit, and also whether the licenses of such shops should include a condition for sale on the premises or not. These rules relating to the formation of local committees were passed only very recently, *i.e.*, in the year 1909, and are applicable to all the shops which may be licensed at any time. I cannot imagine any reason why the scope of the provision relating to ascertaining local public opinion be limited to new shops only. For other Provinces of India liberal provisions are made for ascertaining local opinion, and they apply to all shops that may have to be licensed.

"For the above reasons, I hope that the amendment which I am proposing will be accepted by the Hon'ble Members."

The Hon'ble Mr. Fenton:—"I should like to read to the Council the existing rules on the subject of the ascertainment of public opinion in connection with shops : —

'If it is proposed to open a shop in any street, mohalla, locality or village where there has not previously been a shop, notice of the intention to do so shall, for at least 15 days, be put up at or near the proposed site, and it shall also be published in the neighbourhood by beat of drum.

'Before deciding on the location of any new shop the Collector shall consult the Police Department, the Railway authorities concerned in the case of a shop proposed near a railway station, and the persons interested in any works, factory or mill where large numbers of labourers are employed, in the case of a shop proposed in the neighbourhood of such works, factory or mill.

'Objections to all proposed new shops shall be enquired into, if possible, on the spot by the Collector or a gazetted officer deputed by him to make an enquiry. If an enquiry on the spot is not possible, an enquiry shall be made in a formal proceeding at which evidence tendered for and against the location shall be recorded. The date and place of the enquiry, whether held at the spot or otherwise, shall be published in the notices referred to in clause 4 above. The decision and the reasons for it shall, in each case, be recorded by the Collector.

'Such premises shall be so far removed as possible from any situation to which the near neighbours object on grounds which on enquiry are found to be reasonable.

'Such premises, so far as is possible, shall be located at distance from places set apart for religious uses or religious worship, and from public institutions, to which all classes of the people commonly resort, such as wells or bathing places and also from schools, hospitals and factories.'

[*Mr. Fenton ; Mr. Muhammad Shafi.*]

"These provisions of the existing rules are full and elaborate, but they relate to new shops, and the Select Committee were quite willing to embody the principle of these rules in a clause in the Act, although heretofore there has been nothing of the kind. But when it is proposed to go beyond the existing rules and to carry out an elaborate procedure of this sort in regard to all the existing shops, it is quite a different matter. One does not require much imagination to picture the intrigues and the plots and machinations of trade competitors who desire to damage the business of their co-rivals. For probably a whole year beforehand the neighbours and all the principal people in the neighbourhood would be canvassed in order that, when the time for making enquiry should come round, there should be ample evidence produced to condemn an existing license, however old-established it might be. And it is possible, on the other hand, that the licensee whose interests are threatened might possibly arrange for convivial gatherings to conciliate the opinions of those who would otherwise vote against him. All this sort of intrigue is avoided by these rules, which confine enquiries to new shops. It is easy to contemplate the possibility of the work of the Collector and his establishment getting beyond all bounds if enquiries were annually to be renewed in regard to all existing shops, the propriety and suitability of the great majority of which has been established long ago.

"For these reasons, Sir, I think that the Council ought to be content with the provision that has been made in the Bill as it stands. I may mention that the deputation which waited on Lord Morley did not ask for more than that this consultation of local opinion should be made in the case of new shops, or transfers of existing shops from one licensee to another. They no doubt foresaw the difficulties which would attend the re-opening of the question in regard to all the licensed premises of a province, and wisely confined the recommendation to that extent."

The Hon'ble Mr. Muhammad Shafi :—"Your Honour, while congratulating the Select Committee on the introduction into this measure, even though to a limited extent, of the principle of local option (I use that phrase for want of better words) I desire to support the amendment which my friend the Hon'ble Mr. Kashi Ram has placed before the Council. He has fully explained the position and I strongly support all his arguments, which I am sorry to say have not even been touched or noticed by the Hon'ble Member in charge of the Bill. The Hon'ble Member in charge of the Bill has contented himself by pointing out that if this amendment were to be accepted, one of two results would follow. One would be that a rival trade competitor would begin to canvass in that locality against the renewal of the license in favour of that person. Well, now a very superficial examination of this argument will show that it has absolutely no basis, no legs to stand on. Rival competitors do not go about canvassing people in order to put an end to the very thing for which they are rivals. Supposing there is one Government post and it is periodically filled up by the best man available. Supposing in any given year, one of the competitors for this appointment wins the post, does it follow that the other competitors will, during the course of the following year, put in application after application to the Government to abolish the post, so that they may lose the chance of getting it the following year, simply, as the saying is, to cut off your nose to spite your face. Surely what they will do is this, next year they will offer a higher bid in order to get the license renewed in their own favour rather than in favour of the other person.

"The second argument put forward was that the person to whom a license has been granted in any given year would, in order to court public opinion in favour of his license the next year, give drinking parties during that year so that the people, at the end of the year, might vote for him rather than against the renewal of that license. Well, Sir, if I may venture to point out, this argument applies equally to the case of grants of fresh licenses, for people

[*Mr. Shadi Lal.*]

who wish to open shops do not make up their minds all in a moment, instantaneously, to apply to Government for licenses. It always comes about that they have thought of applying for a license, say about six months ahead of the date on which they are applying. Very well, a person intending to apply for a license might, in view of the Collector coming to ascertain public opinion in that locality, a year or six months before begin to give drinking parties, so that when he is actually going to apply on the 1st of January or on the 15th of April for the grant of a license in the locality where hitherto there has been no drinking shop, there should be public opinion in his favour. He might do the same thing in such a case as that. That argument, I submit, really has no force. The real argument which ought to be conclusive in a matter of this kind is that in India we are in a transitional period; public opinion is growing. Changes under the influences of culture and enlightenment introduced in this country by the benign British Government, changes in public opinion are rapidly taking place. Where the majority of a locality might now be in favour of the existence or the renewal of a license in favour of a drink shop, it may happen after a year, or two years hence, owing to the effect of this expanding culture and enlightenment, that their opinion might veer round against that drink shop. Therefore the Government ought to be only too glad, in fact ought to welcome, such a change of opinion and ought to provide in the enactment an occasion for the free play of public opinion and of local option in matters concerning the renewal of licenses also. Otherwise, we know that the tendency is that this renewal of license year after year becomes practically mechanical. Not only mechanical, but on the contrary the following year somebody else comes forward to compete with the former holder of the license, offers a higher sum, and the local authorities grant the license to this person rather than the old licensee, and this person, who has paid the Government a higher sum, tries his level best during the period of his license to sell more than the previous licensee because he has paid more money and in consequence he will move heaven and earth in order to repay himself the sum which he has paid in order to obtain that license. For these reasons I earnestly hope that the Council will extend this principle of local option, not only to cases of new grants, but also to renewals of old licenses."

The Hon'ble Mr. Shadi Lal:—"Your Honour, I want to say one or two words in connection with the motion before the Council. I hope, in doing so, I will not be accused of entertaining any of those motives which have been attributed by the Member in charge to those non-official Members that have proposed amendments in regard to the principles of the Bill. Let me assure my Hon'ble friend, the Member in charge of the Bill, that neither I, nor, as far as I understand, any of the Members of this Council, is of opinion that the Government fosters the habit of drink in order to increase the revenue. Far from it, we are of opinion that the Hon'ble Mr. Fenton is very sincere in suppressing the drink habit and is doing his best so far as that matter is concerned. At the same time I hope he will recognise that there are different points of view. Some of the members on this side may entertain a view which may not be quite in accordance with the views of the members on the other side and if we do not agree, as I stated this morning, I hope we will try and appreciate the motives of those who differ with us.

"As regards the merits of the amendment, I do not want to repeat the arguments already put before the Council, but I will, with your permission, read a passage from the report of the Excise Committee which goes to show that the members of the Excise Committee did not wish to draw a distinction between old shops and new shops. They recognised fully the difficulty in the practical working of what is called local option, but the Hon'ble Mr. Fenton has very kindly recognised the principle of local option as regards new shops, and I fail to see why the extension of that principle should not be possible for old shops. The paragraph which I wish to read is No. 235—

[*Mr. Shadi Lal; His Honour the President; Mr. Fenton; Mr. Mant.*]

'In regard to the location of shops the Government of India have approved the rules in force in Bengal and Madras and commended the former to the notice of other Local Governments, adding that the location of existing shops should be periodically examined with a view to ascertaining whether it conforms to the rules in respect of sites, and that it should be laid down as a general direction that an established shop must not be allowed to remain on a site which would not be permissible for the location of a new shop.'

"I hope the Hon'ble Member in charge of the Bill will kindly consider these remarks and will perhaps allow the amendment to be carried."

His Honour the President :—" Might I suggest that the Hon'ble Member in charge of the Bill should explain what the existing practice is. I understand the public are not debarred from making representations where the sites of existing shops are unsuitable, and on strong cause being shown I understand that licenses are not renewed; but the Hon'ble Member is in a better position than I am to inform the Council what the existing position is."

The Hon'ble Mr. Fenton :—" The existing position is exactly as Your Honour states. The only reason for objecting to the insertion of this addition to the local option clause in the Bill is that it will be *obligatory* in every single instance for the Collector to start an annual enquiry regarding existing shops instead of the present practice of making enquiry concerning those shops only in regard to which specific representations are made.

"With reference to the Hon'ble Member's quotation from the recommendations of the Excise Committee, I would mention that the enquiry and examination and scrutiny of existing licenses which was desired by the Committee and ordered by the Government of India did take place, and that a wholesale examination of all existing sites of shops has been carried out in pursuance of it, and that having been done, the assumption should be made that all existing shops have justified their existence. That such an examination should be made every year on the occasion of every renewal is quite a different matter, and is not, as I understand it, what the Committee recommended.

"The Hon'ble Mr. Muhammad Shafi refers to the analogy of a post in Government employment in seeking to abolish which a rival, he says, damages his own interest; but the analogy is not in the least applicable because the particular shop which the trade rival wishes to have abolished will next year be replaced by another shop, possibly in another locality, which the competitor would secure for himself. And one reason for his expecting to secure it is that he has succeeded in damaging the reputation of his rival. I do not think I need say anything more. I understand that the Hon'ble Mr. Mant wishes to speak on the subject."

The Hon'ble Mr. Mant :—" Mr. Fenton has anticipated a good deal of what I had to say. We discussed this question pretty fully on the Select Committee, and the majority came to the conclusion that the public had at present every opportunity of expressing their views when there really was any objection to the sites of existing shops, and that it was only necessary to compel the Collector to refer to them in cases where new shops were established or the shops were transferred from one premise to another. I think it has not been represented here that, although we have cut down the number of shops as far as is practically possible at present, still there is a good deal of change in the premises and a far larger number of shops come up for renewal periodically than might appear from the number of new licenses granted.

"The other point I had to put forward was that this motion, as it stands, is really too comprehensive. It refers to licenses for the sale of all excisable articles. I think Hon'ble Members who have spoken have really only considered the question of liquor licenses. But I may mention that there are 232 licenses for the sale of methylated spirit, and I should think the Hon'ble mover could hardly seriously contend that the Collector should be required to

[*Mr. Mant ; Mr. Shadi Lal ; His Honour the President ; Mr. Fenton ; Mr. Kashi Ram.*]

institute enquiries into every locality before issuing licenses for the sale of methylated spirits. In fact I have got a list of the number of licenses in force. It may be well to read it. There were :—

81 licenses for hotels.
38 licenses for refreshment rooms.
32 licenses for dâk bungalows.
113 licenses for imported wines and spirits and fermented malt liquors.
1,027 licenses for distillery spirit which would include 232 methylated and rectified spirit licenses.
25 licenses for country fermented liquors.
541 licenses for the sale of hemp drugs.

1,857 licenses in all. My point is that if Collectors had to enquire every year into the case of 1,857 licenses, the whole business would become such a matter of routine that it would really defeat its object. If a man has got to take up such a large number of cases, he is apt to mix up those which there is real occasion to examine with the hundreds of others, and the cases in which there is a sound objection to a new license would probably go by the board because there had been so many routine cases."

The Hon'ble Mr. Shadi Lal :—" With reference to the information given by the Hon'ble Mr. Fenton in pursuance of the remark which Your Honour made, do I understand that at present there is no prohibition as regards the submitting of representations in respect to existing shops, or there is a rule allowing the making of representations ? "

His Honour the President :—" I suppose whatever is not prohibited is allowed."

The Hon'ble Mr. Fenton :—" The rules are in the form of directions to Collectors, not for the guidance of the public. Collectors are in this as in other branches of the administration required to consider all the representations."

The Hon'ble Mr. Kashi Ram :—" Before I reply to the Hon'ble Member, I would ask Your Honour to ascertain from the Hon'ble Member in charge of the Bill whether the rules which I stated as the existing rules on the subject were supplied to me from the office of the Punjab Government—letter No. 3011, dated 28th September 1908 ; and from the Government of India, No. 714, dated 6th December 1908. I read from those letters the existing rules which I showed were applicable to existing as well as to new shops. Of course I admit that there are rules relating to the opening of new shops which the Hon'ble Member in charge of the Bill has read out, but those have nothing to do with the point before the Council. My point is that the present rules apply to existing shops ; and the present rules I read out from the letters I referred to and these letters were supplied to me on application by the Hon'ble Member in charge himself. I would ask Your Honour to ascertain whether this is correct.

"The second point I would ask Your Honour to ascertain from the Member in charge is that the passage I am proposing is in terms really bodily taken up from the provisions of the Eastern Bengal Excise Act. Not only this, but much more elaborate provisions (as I stated in my first speech) are made in the Excise Acts of the other Provinces, especially Madras and the United Provinces. Of course I have stated that, but on account of the difficulties which we had here, Sir, difficulties of access to books upon the subject, I have not been able to give all references in my speech, and it would be perhaps right that Your Honour would ascertain if the facts I am stating are true, so that the Hon'ble Members of the Council should be in a position to know whether the provisions for which we are pressing before this Council are not embodied in most of the Acts of the other Provinces. The amendment

[*His Honour the President ; Mr. Kashi Ram.*]

that I am now urging before the Hon'ble Members is only for the purpose of assimilating the law which is to be in force in this Province with the law prevailing in the other Provinces, and if I am right in stating that these provisions, as a matter of fact, exist in the Acts of most of the other Provinces, then we say there is no reason why the Punjab should lag behind. If the Government admits that the temperance movement is a power which is spreading in the land, and the Government are themselves anxious to help that power, there is no reason why the Temperance Association should not be allowed to exert themselves for the purpose of checking the spread of the liquor habit. There are certain points to which I would like a reply after those points that I ask Your Honour to ascertain are replied to."

His Honour the President :—"I think Mr. Fenton will give such information as he can in his reply to the general question."

The Hon'ble Mr. Kashi Ram :—"I have given my reference and I will go on further upon the points. Of course I need not repeat the reply I wish to give as regards the portions read out by the Hon'ble Member in charge relating to new shops. I must admit that there may be other instructions relating to the opening of new shops, and the procedure that is to be followed on the opening of new shops may be contained in different letters which I have not seen, but what I have referred to relates to existing shops as well as to the new shops.

"Then an objection is made on the ground that the procedure which is sought to be adopted would entail a great deal of work upon the Collector. Of course the Hon'ble Member in charge of the Bill must be aware of the proceedings of the Collector in matters like this. We all know that it is not the Collector himself that does this part of the work. The work is left to the subordinate officers. The Tahsildar might do it, or an Extra Assistant might be deputed to do it, and even supposing the Extra Assistant or Tahsildar is to do it, what is the procedure we may expect? Supposing there are at present about 800 shops extending over 30 districts of the Punjab, I think probably every Deputy Commissioner may have to ascertain roughly local public opinion as regards 24 or say 25 shops, or say 30. Well, is that too much? That distributed over 4 or 5 tahsils probably would not extend to more than 6 shops each tahsil. We all know how reports are received by the Tahsildar and disposed of by the Collector in probably a space of time which I think Government should be the last to grudge to the public if the Government can have the satisfaction of knowing that they are given a chance of stating their opinions in this matter. The objection on the score of work, I submit, has no foundation whatever, especially when we take into consideration that almost all the other Provinces have adopted these principles.

"The provision that I have given is really copied word for word from the wording of the Eastern Bengal Act, section 28. When Your Honour enquires into the existing sections of the other Provinces, Your Honour will find that almost all other Provinces have similar sections. In fact, some of them have much more elaborate provisions than we are asking for.

"With reference to the remark that at present there is no prohibition for people to make representations to the Commissioner, we all know that as subjects of the British Crown, they have the option of making representations on any point. But that is not the point. The point is whether we should make a provision, as a matter of law, and make it obligatory upon the Collector to ascertain local public opinion before licenses are given for new shops. Your Honour will see that the point has been conceded so far as the new shops are concerned The question we are deciding is whether that provision should not be extended to old shops as well, and the question whether the present procedure allows people to come in and make their representations before the Collector is, I submit, beside the point altogether, and is not relevant to the discussion at present before the Council.

[*Mr. Kashi Ram*; *Mr. Fenton*; *Mr. Shadi Lal.*]

"As regards the remark that was made that enquiry has been made in regard to all the existing shops and the conclusions to which the Government have come that the existing shops are, as a matter of fact, all unobjectionable, I do not say no enquiry has been made. I submit with due deference that this enquiry was never made with the help of public opinion at all. The point that we are asking to be decided by the Hon'ble Members of the Council is whether we should have public opinion as regards existing shops. It is no answer to say, 'of course the Government officers have decided that existing shops are not objectionable'. I say enquire from the public whether existing shops are not objectionable. That is all I have to say on the subject."

The Hon'ble Mr. Fenton :—" I merely propose to answer the enquiries of the Hon'ble Member. As regards the papers which were furnished to him, I do not know exactly what they were ; I simply gave orders that all papers the Hon'ble Member required were to be given to him. Apparently those he has contain certain correspondence on the subject of ascertaining opinion in regard to the location of shops. That correspondence preceded the conclusion of the correspondence. The conclusion of the correspondence is embodied in the rules I have read out : I think it is more in order to refer to the conclusions of the correspondence than to the correspondence itself. The Hon'ble Member says that the enquiry made in pursuance of the recommendation of the Excise Committee was made solely by Government officers without reference to public opinion. I do not know what foundation he has for that statement. I believe that in every case the local officers did ascertain public opinion of those who were really interested in the matter.

"I am surprised that the Hon'ble Member has not been impressed by the statistics which the Hon'ble Mr. Mant has given as to the work which would be entailed upon Collectors by the instituting of enquiries into the licenses of 1,900 shops, 60 or 70 per district. I can assure you that enquiries of that sort and the orders on them would not be by subordinate officers. The location of a shop is a very important matter, and the Collector would deem it incumbent upon himself to retain the decision in his own hands."

The amendment was put to the Council and lost—a show of hands indicating 6 for and 13 against the amendment.

The Hon'ble Mr. Shadi Lal :—" My first amendment, Sir, has been practically disposed of by the amendment which has just been negatived ; therefore I do not wish to say anything about that except that I would ask the Hon'ble Mr. Fenton whether he insists on these words ' for consumption on the premises ' in regard to new shops. I should like to have the local option applied also to those shops, where consumption is not to be on the premises. I should like to be enlightened on the point."

The Hon'ble Mr. Fenton :—" I understand that the complaint in connection with the location of shops is concerned with what takes place on the premises, and that in the case of large distillers and wholesale dealers like Kellner & Co., Cutler Palmer & Co., also the large hotels, there are no complaints in regard to any traffic that goes on in them, and as far as I can read the correspondence, any measure of local option which has been demanded has been confined to premises where the drinking actually goes on, and not to those who have grocers' and other licenses for the sale of spirits which must be taken away. Therefore I prefer that the existing clause in the Bill should stand as it is."

The Hon'ble Mr. Shadi Lal :—" I do not press the matter. There is one matter I should like to mention for the improvement of the language. Hon'ble Members will observe that one amendment in connection with this clause has been carried—amendment No. 4 in the amendments carried *en bloc*.

[*Mr. Fenton* ; *Mr. Shadi Lal* ;]

Certain words have been added in sub-clause (2). May I suggest one word more should be added and the wording should be 'licensing and location of shops.' That is the wording of the Eastern Bengal Excise Act I forgot to mention that before."

The Hon'ble Mr. Fenton :—" There is no objection if you think it necessary, but licensing is deemed to cover both."

The Hon'ble Mr. Shadi Lal then withdrew the following amendment which stood in his name :—

" *That in clause* 35 (2) *the words* ' *excisable articles* ' *be substituted for the words* " liquor for consumption on any premises which have not been so licensed in the preceding year'."

The Hon'ble Mr. Shadi Lal : – There is one more amendment in my name, and I will deal with that very briefly because I do not want to take the time of the Council unnecessarily. That in the last line of clause 49 (1) after the word *may* the words *after recording the grounds of his belief* be added. Clause 49 confers very extensive powers on Excise Officers, and I understand that those powers will be exercised not ordinarily by Collectors but by Inspectors and Sub-Inspectors of Excise. I think the Hon'ble Member in charge of the Bill will admit that these powers are very extensive, and though it is necessary that these powers should exist for cases of emergency, for cases in which the delay will allow the man who has offended against the provisions of the Excise Act to disappear or to remove any articles which may be used as evidence against him, it is at the same time necessary to see that the powers may not be abused, and for that reason I propose that the words which I have mentioned in my amendment should be added. I may mention that the Bill which was prepared by the Excise Committee for adoption by the different provinces contains these words Clause 38 of that Bill contains exactly the words which I propose to add. After the report of the Excise Committee legislation has been undertaken in three provinces, in Bengal proper in 1909, in Eastern Bengal in 1910, and in the United Provinces of Agra and Oudh in 1910, and may I mention, Sir, that words of this kind are found in the Acts of all these provinces. So we have got the draft Bill of the Excise Committee ; we have got the three Acts of the three provinces which have been enacted since the report of the Excise Committee and in every one of them there is a provision against the abuse of the wide powers given by the clause. I do not see any cogent reason why we should not adopt the same safeguard."

The Hon'ble Mr. Fenton : – " The Hon'ble Member's amendment is not such an innocent one as he seeks to represent to the Council. I admit that in the older Acts and in the Acts of the other provinces which he mentions it is provided that, before an Excise Officer undertakes a search, he shall record in writing the reasons for his action. But since those Acts were passed it will be in the recollection of Hon'ble Members that a famous case occurred in Eastern Bengal well known as the Mymensing case in which the Magistrate, Mr. Clark, having been called upon to supervise certain police proceedings (the district being very disturbed at the time), with a view to seize all arms on suspected premises, allowed a search to take place without having first recorded the reasons for his belief that arms were concealed on the premises. That case became the subject of litigation, as a zamindar by the name of Brajendra Kishore Roy Chaudhri brought a suit against Mr. Clark and obtained damages amounting to Rs. 500. The High Court upheld the decree and rejected Mr. Clark's appeal. Subsequently the case went to the Privy Council and the Privy Council described the decision of the subordinate

[*Mr. Fenton; Khwaja Yusaf Shah; Mr. Shadi Lal.*]

courts as involving *a serious miscarriage of justice.* Lord Macnaughton remarked that 'the result is that a magistrate who is placed in a very difficult position and called upon to act in a sudden emergency has been subjected to a fine, though he seems to have acted properly with courage and good sense.'

"That decision could not fail to have some influence on the officers of Government; and Collectors, to whom the first draft of this Bill was circulated for opinion, quite naturally took exception to the inclusion in it of a provision requiring that, when an Excise officer receives information that distillation is going on and is actually in progress in some premises and that immediate action is necessary, he must send for pen, paper and ink and sit down to record the reasons for his taking action before he can proceed to arrest the illicit distillers and seize their apparatus. Naturally in these circumstances the offenders would have ample opportunity of escaping and the whole campaign against illicit distillation would become a farce. It is true that the existing Act contains the provision for making a written record as a precedent to action, but I venture to assert that it has never on any occasion been acted upon. What has usually happened is that the Excise officer, not deterred by it, raids the premises and at leisure afterwards writes the reason why he took action. I should just like to read what the Deputy Commissioner, Amritsar, says and that is a district in which illicit distillation is probably most rife :—

"I am not in favour of the proviso to this section. The delegation of powers will no doubt be restricted to officers of high rank, and they ought to be trusted not to abuse their authority. The section is intended to provide for special procedure in times of emergency, and it is difficult to understand why a condition which might cause much delay should be inserted. An Excise Officer when on the march receives intimation requiring immediate action under this section. Instead of proceeding to the spot, he has to ride off post-haste to the nearest village where pen, ink and paper can be procured, and there sit himself, solemnly down to indite the grounds of his belief for taking action, while at the other 'place' all vestiges of the offence are being quietly cleared away. The situation is more suited for comic opera than for *quasi*-judicial proceedings. By all means let the Excise officer *subsequently* give his reasons in writing for his action, and if these are insufficient he can be dealt with under section 71."

"Under those circumstances, Sir, I do think that the Council might well decide not to follow blindly the example of other provinces in re-enacting this section. It is to be remembered that there are two precautions against hasty and undesirable action. In the first place, it is only such Excise Officers as the Government may by notification empower that can take action under it, and, in the second place, I would invite the attention of the Council to section 70 (*a*)—

"If any Excise Officer vexatiously and unnecessarily enters or searches, or causes to be entered or searched, any buildings under cover of exercising any power conferred by this Act, he shall be liable to a penalty which may extend to Rs 500"

That Sir, is, I think, a sufficient precaution."

The Hon'ble Khwaja Usuf Shah:—"In this connection I wanted to point out when I learnt the nature of section 70 (*a*), that in my opinion the Excise officers should be given sufficient powers in the interests of the administration, and I do not think, in view of section 70 (*a*), there would be any vexatious or unnecessary search. They will certainly know their position. The offender is liable to a punishment of three months, and under these circumstances I do not think there is any necessity of following the practice prevailing in other Provinces."

The Hon'ble Mr. Shadi Lal:—"I am very much obliged to the Hon'ble Mr. Fenton for the information which he has given us. Let me point out that one object in pressing the amendment was to protect the Excise officers from prosecutions under section 70. If they record their reasons it cannot be said that they are acting vexatiously."

The amendment was put to the Council and lost.

[*Mr. Kashi Ram ; Bakhshi Sohan Lal ; Mr. Muhammad Shafi ; Mr. Shadi Lal ; Mr. Fenton ; Mr. Gracey.*]

The Hon'ble Mr. Kashi Ram :—" In view of the decision upon the last amendment, I withdraw the following amendment :—

" That the following *proviso* be added to sub-clause (1) of clause 49 :—

' Provided that an Excise Officer other than a Collector taking action under this sub-section shall before entering such place record the grounds of his belief and send the same to the Collector or the Magistrate whoever is nearer.' "

The Hon'ble Mr. Bakhshi Sohan Lal :—" With reference to the decision on clause (14) I withdraw the following amendment :—

' That (*c*) of sub-clause (2) of clause 58 be omitted.' "

The Hon'ble Mr. Muhammad Shafi :—" As the original proposal has fallen through and the following is only a supplementary proposal, I withdraw it :—

" ' That to clause 62 a clause be added providing penalty for contravention of clause 26, sub-clause (2), in the following words :—

' In contravention of section 26, sub-section (2), sells any spirit or intoxicating drug in the immediate neighbourhood of an educational institution or a place of worship ' "

The Hon'ble Mr. Shadi Lal :—" An amendment was proposed by me in clause 61 and has been accepted, *i.e.*, in clause 61 the words ' for such offence ' have been omitted. May I suggest one more verbal alteration in that clause. It is in the sentence which runs : ' provided that when any person is convicted under this section of *any* offence.' Instead of the word ' any ' I would propose the word ' an ' "

The Hon'ble Mr. Fenton :—" Has the Hon'ble Mr. Gracey any objection to that ? "

The Hon'ble Mr. Gracey :—" I have no objection."

The motion was put and agreed to.

The Hon'ble Mr. Shadi Lal :—" Clause 62—amendment in clause 29 has been carried and the word ' liquor ' has been substituted for the word *spirit*. We come to clause 62 (*a*) which lays down that ' In contravention of section 29 sells or delivers any *spirit*,' etc. Instead of the word ' spirit ' it ought to be ' liquor.' "

The Hon'ble Mr. Fenton :—" I agree."

The motion was put and agreed to.

The Hon'ble Mr. Shadi Lal :—" I move that in clause 62 (*d*) the word ' *licensed* ' be added before the word ' *premises*.' "

The Hon'ble Mr. Fenton :—" I agree."

The motion was put and agreed to.

The Hon'ble Mr. Shadi Lal :—" I move that in clause 62 (*e*) the word ' licensed ' before the word *premises*, be added."

The Hon'ble Mr. Fenton :—" I agree."

The motion was put and agreed to.

The Hon'ble Mr. Shadi Lal :—" I also move that in the last paragraph of clause 62, the word ' licensed ' be added before the word ' premises ' "

The Hon'ble Mr. Fenton :—" Yes."

The motion was put and agreed to.

[*Mr. Shadi Lal; Mr. Fenton; His Honour the President.*]

The Hon'ble Mr. Shadi Lal:—"Clause 80 as it stands says: 'The Collector may release any article . . . . . on payment of the value thereof.' These words mean that the Collector will have to make the payment, but it is obviously intended that the Collector should receive the payment. I suggest that the words ought to be 'on receiving payment of the value thereof.' I therefore move that in sub-clause 3 of clause 80 the word *receiving* be added before the word payment."

The Hon'ble Mr. Fenton:—"Yes."

The Hon'ble Mr. Shadi Lal:—"Clauses 64, 65 and 77.—In these clauses the words used are 'any person in his employ and acting on his behalf.' In other places the word 'or' is used. I want to know whether it is intended that both conditions should be fulfilled or whether it is the intention that the man may be either in the employ of or act on behalf of the licensed-vendor."

The Hon'ble Mr. Fenton:—"I agree that the word 'or' be substituted for the word 'and' in those three clauses."

The motion was put to the Council and agreed to.

The Hon'ble Mr. Fenton:—"I now move, Sir, that the Bill be passed."

His Honour the President:—"I won't detain the Council for many minutes. We have had a very illuminating discussion to-day on the principles which govern our excise policy As is very desirable, we have had opposite views put forward, including views in favour of local option, and amendments which I admit are very desirable on theoretical grounds, but which, on reference to practical considerations which the Hon'ble Mr. Fenton has so vigorously stated before us, were found to be undesirable or perhaps unworkable. We have had illustrations copied from other Provinces, and we have had suggestions made that we should follow them in their policy of excise revenue. I can assure the Council that I have seen a good deal of the excise administration of other Provinces, and I can say with the greatest confidence that in none of them of which I have had any experience, Madras, the Central Provinces, the United Provinces, has the excise administration been raised to such a point, from the point of view of the social and temperance reformer, as it has been raised in the Punjab. As regards the licensing of shops, as regards the price of liquor, as regards the difficulties which are placed in the way of the tippler, I venture to say the Punjab stands immensely higher than any other Province in India. I have seen also a good deal of the excise administration in the Native States. I have had to urge these Native States to improve their administration. I have been mobbed on more than one occasion by the Bhils of Central India because they said I had interfered and got the State authorities to raise the price of liquor, thereby preventing these unhappy aborigines from getting drunk at the usual festivals and from pouring out libations of liquor to their gods. I have had, in deference to these considerations, to relax the rules by which the States, which were under Government supervision, had imposed still-head duties and had abolished their stills. I have had to relax those rules so as to allow these people to obtain liquor at least at one or two of the festivals because they assured me that, if their god was not propitiated with an adequate supply of liquor, their harvest would fail and famine spread over the land. These are some of the considerations. It is all very well for us, sitting here, to be moved by lofty theoretical considerations. It is desirable that we should aim at a high standard in excise as in other matters, but we must not forget the prejudices and feelings of the people we have to deal with. We must not forget that every obstacle which we place in the way of the coolie getting his liquor, desirable as it is, excellent as it is, will not be pleasant to that coolie, and that he resents the policy which we pursue. I think therefore, gentlemen, that in the Bill as it now stands

[*His Honour the President.*]

we have, on the whole, succeeded fairly well in steering a middle course between extreme coercion and aiming at a high standard, and the practical needs of the people, and I am sure that the Bill will give the administration more power to deal vigorously with excise offences, and particularly with illicit distillation, and will so help in promoting the cause of temperance which the Government is willing to assist and forward in every way it can. During the short time I have been in this Province it has been my unpleasant duty to go through the files of a number of cases in which murders have been committed, and I was shocked and astonished to find the number of those murders, especially in the Central Punjab, which were either the result of drink or in which the murderers had primed themselves with drink to carry out their crimes. From this I think, gentlemen, you will realise that the administration, so far from desiring that excise revenue should be the primary consideration, is willing to sacrifice excise revenue in the cause of law and good order. It is also necessary to bear in mind that the taxation of liquor involves an increase of revenue and also carries with it a diminution in consumption.

"I will now put before the Council Mr. Fenton's motion that the Bill, as amended, be passed."

The motion was put and agreed to.

The Council now stands adjourned *sine die.*

SIMLA : } S. W. GRACEY,

The 19*th September* 1913. } *Secretary, Legislative Council, Punjab.*

APPENDIX A.

Statement showing the number of Upper and Lower Primary schools for Indian Boys and Girls in existence in the Punjab during the years 1911-12 and 1912-13.

District.	Boys.				Girls.			
	1911-12.		1912-13.		1911-12.		1912-13.	
	Upper Primary Schools.	Lower Primary Schools.	Upper Primary Schools.	Lower Primary Schools.	Upper Primary Schools.	Lower Primary Schools.	Upper Primary Schools.	Lower Primary Schools.
Hissar	107	4	109	16	12	...	15	...
Rohtak	88	3	124	3	23	...	25	...
Gurgaon	111	6	148	7	16	...	19	...
Karnál	104	8	104	7	20	...	20	1
Ambála	121	7	117	8	12	...	13	...
Simla	12	4	11	7	4	...	6	...
Kángra	73	48	79	51	10	5	12	6
Hoshiárpur	163	20	186	3	14	2	17	...
Jullundur	132	15	130	20	28	9	28	9
Ludhiána	88	12	87	12	21	...	19	4
Ferozepore	108	13	109	12	27	1	25	2
Lahore	89	18	94	21	28	10	29	11
Amritsar	157	10	168	9	20	32	21	26
Gurdáspur	165	3	166	30	24	...	22	...
Siálkot	174	3	189	3	49	...	56	...
Gujránwála	137	4	146	4	20	11	21	11
Gujrát	138	1	150	1	25	...	25	...
Shahpur	96	2	125	2	21	...	31	...
Jhelum	109	...	113	...	30	...	37	...
Ráwalpindi	88	7	106	7	30	...	42	...
Attock	85	1	97	1	25	...	29	...
Miánwáli	78	...	98	1	8	...	16	...
Montgomery	66	4	67	19	10	1	10	2
Lyallpur	192	1	191	62	...	...	14	1
Jhang	93	8	103	7	15	2	16	4
Multán	116	4	117	20	9	9	15	10
Muzaffargarh	92	5	98	13	20	...	17	1
Dera Gházi Khan	93	7	104	3	5	3	8	3
Total ...	3,075	218	3,336	349	535	85	607	100

APPENDIX B.

No. 664 S., dated Simla, 13th August 1913.

From—The Hon'ble Mr. J. C. GODLEY, M.A., Under-Secretary to Government, Punjab, Home (Education) Department,

To—The Secretary, Anjuman-i-Himayat-i-Islam, Lahore.

I AM directed to invite the attention of the Lahore Anjuman-i-Himayat-i-Islam to the letter No. 585—595, dated the 3rd April 1913, from the Government of India to the Local Governments, on the subject of the improvement of Muhammadan education. Seventy-five copies of the letter are enclosed. The Lieutenant-Governor will be glad to receive the opinions of the various Anjumans and the leading Muhammadan gentlemen in the province as to the best means of forwarding the policy indicated in the letter, with which, I am to say, His Honour is fully in accord.

2. It will be noticed that several of the recommendations made in the letter have comparatively little bearing on the conditions of the Punjab, where Muhammadans are in a majority and the educational system has from the first been more or less adapted to the needs of this community. Thus Urdu is the school language of the province, the vernacular text-books contain much that is of interest to Muhammadans, the use of the religious text-books published by the Lahore Anjuman Islamia is permitted in aided schools for Muhammadan pupils, and provision is made in the educational system for the aiding of maktabs in which secular teaching of the simplest kind is imparted. Muhammadan pupils in primary schools for boys number about 77,000, as compared with 75,000 Hindu and 24,000 Sikh pupils.

3. It is at the higher stages of education, as is observed in paragraph 1 of the letter, that disproportion becomes more apparent, the Muhammadan percentage of the total number of boys attending secondary schools in the Punjab being only about 36. Here, too, the linguistic difficulty is not an obstacle to progress so far as this province is concerned, and as aided secondary schools in the province are mostly under denominational management, an increase of Muhammadan representation on the governing bodies of such institutions would be rarely practicable. Much might be done, however, for the improvement of existing Muhammadan institutions, the addition of new secondary schools under Muhammadan management, and the maintenance of hostels for Muhammadan pupils, and the Lieutenant-Governor is prepared to assist private enterprise in these directions with liberal grants. Muhammadan secondary schools at the larger centres, such as the Islamia schools at Rāwalpindi and Multān, should be made thoroughly efficient. This, however, will only be possible if the leaders of the community take an active share in the management of such institutions and it is desired to ascertain how far the Muhammadan associations of the province are ready to co-operate with Government in schemes for improving them.

4. The falling-off in the number of Muhammadan pupils at the high school stage has resulted in a corresponding disparity of Muhammadan students in colleges. As the Islamia College at Lahore is the only Muhammadan college in the province, the Lieutenant-Governor attaches particular importance to this institution being placed on a thoroughly sound basis, financially and otherwise, and being directed by a strong committee of management. The Government of India has been addressed on the subject of the funds needed for the improvement of the College, and His Honour has received assurances that substantial aid will be forthcoming, should a satisfactory scheme be submitted. I am to express a hope that every effort will be made to take advantage of this offer. Muhammadan interests are represented in the Senate of the Punjab University by 18 Muhammadan Fellows, as compared with 27 Hindus and 6 Sikhs. His Honour is not convinced that this proportion is at present inadequate, as the Senate must in the main represent educational interests, and the Muhammadan element in the college staffs is comparatively small as yet; but the growth of the latter must naturally tend towards increased representation in the Senate.

5. The question of the adequacy of scholarships and other concessions for the poorer classes of Muhammadan pupils is one on which the opinion of the Anjuman is also invited. Scholarships reserved for Muhammadan students in colleges have recently been increased to more than double their former number, and the rate of payment has been substantially enhanced. For school education 29 high school "Victoria" scholarships each of Rs. 4 per mensem, and about 330 middle school scholarships of Rs. 2 per mensem, are awarded annually to Muhammadan pupils. The Lieutenant-Governor has recently agreed to these scholarships being raised in value from Rs. 4 to Rs. 6, and Rs. 2 to Rs. 4, respectively. Half of the remissions of fee or concession rates allowed on the score of poverty to students in schools and colleges are reserved for Muhammadans. His Honour is prepared to consider any recommendations which may be made as to an extension of these concessions, if there is evidence that the existing system does not afford adequate encouragement to Muhammadan interests.

6. The comparative fewness of Muhammadans who have received higher education has affected the recruitment of Muhammadans for the teaching profession. Thus Muhammadan students in the Training College number less than one-third of the total, and there is a resulting disparity between the number of Muhammadan officers employed in the Education Department and that of officers of other denominations. The Lieutenant-Governor understands that the importance of securing Muhammadan teachers and inspecting officers for Muhammadan districts is fully recognised in the Education Department, but that competent Muhammadan officers of sufficient standing are not always forthcoming for such posts. And it may be remarked that similar conditions obtain in regard to the Sikh community. At the present time 1 out of 3 Indian Inspectors of Schools, 4 out of 11 Assistant Inspectors, 24 out of 70 District and Assistant District Inspectors and 8 out of 23 Indian Headmasters of Government High Schools are Muhammadans, the proportion throughout being about one-third. In commending the question of the recruitment of Muhammadans for educational posts to the consideration of the Anjuman, His Honour desires me to point out that preferential treatment in the matter of appointments can only be accorded—as a temporary measure of encouragement to a relatively backward community—to Muhammadans whose educational attainments are equal to those of other candidates, and who are judged to be fully qualified for the duties which they have to perform; and that so long as there is a deficiency of such candidates, the numerical inferiority of Muhammadans in the higher educational posts is an inevitable consequence. His Honour is confident that this statement of policy will be readily accepted not only by the Muhammadan community, but by all who have the interests of education at heart.

7. Among the suggestions made in the letter from the Government of India is that places might be reserved for Muhammadan students in institutions which, by reason of their reputation, draw many applicants for admission. The Lieutenant-Governor is not aware whether any difficulty has been experienced by Muhammadan students in the Punjab in gaining admission to colleges or schools of a special character, and would be reluctant to approve of the introduction of proportional representation by communities in these institutions unless very strong reasons could be shown for it. In two such institutions—the Veterinary College and the Mayo School of Art—Muhammadan students are in a majority. The risk of lowering educational standards and thus injuring the interests of students of all communities should not be overlooked in this connection.

8. His Honour would also be glad to obtain the opinion of the Anjuman as to any further steps which Government can take to assist the education of Muhammadan girls, and as to the question of permitting religious teaching to be given under suitable conditions in Government hostels. There is no rule at present either authorising or forbidding religious teaching in hostels, and it is desirable that all reasonable facilities should be afforded for such teaching.

9. In conclusion, I am to say that the Lieutenant-Governor regards the question of promoting Muhammadan education in this province as of the highest importance, and will give careful consideration to any suggestions which may be put forward. His Honour trusts that the Anjuman will be able to obtain representative opinions from all parts of the province, and that it will be recognised that while the policy of Government is to give all reasonable facilities and encouragement to the Muhammadan community to assist them in coming abreast with other communities, especially in secondary and higher education, the question should be approached with due regard to the welfare of the province as a whole.

No. 585—595, dated Simla, 3rd April 1913.

From—The Hon'ble Mr. H. SHARP, C.I.E., Joint Secretary to the Government of India, Department of Education,

To—
- The Secretary to the Government of Madras, Educational Department.
- The Secretary to the Government of Bombay, Educational Department.
- The Secretary to the Government of Bengal, General (Education) Department.
- The Secretary to the Government of the United Provinces, Education Department.
- The Secretary to the Government of the Punjab, Education Department.
- The Chief Secretary to the Government of Burma, Education Department.
- The Hon'ble the Chief Commissioner of Bihar and Orissa, Education Department.
- The Hon'ble the Chief Commissioner of the Central Provinces.
- The Chief Commissioner of Assam.
- The Chief Commissioner of Coorg.
- The Hon'ble the Chief Commissioner and Agent to the Governor-General, North-West Frontier Province.

I AM directed to address you on the subject of Muhammadan education. As observed in paragraph 57 of the Government of India resolution No. 301-C.-D., dated the 21st February 1913, the increase in the number of Muhammadans at school has been remarkable during recent years; and, in the matter of primary education, this community now holds its own. In the matter of higher education their numbers are still far below their proportion to the population. The Government of India are anxious that all reasonable facilities should be provided for the education of this backward community, and take this opportunity of indicating the directions in which inquiry and special action will, they think, be useful.

2. *Primary Education.*—One of the chief obstacles in the way of Muhammadan education is the language difficulty. Urdu is regarded as a *lingua franca* among them; and some knowledge of Arabic and Persian is often required. When one or more of these languages has to be studied in addition to a Prakritic vernacular, the Muhammadan pupil is handicapped. There are also difficulties of a religious nature. Some study of the Koran is often insisted on before secular education is commenced; and the regular school career is thus started later than in the case of other communities. The text-books used in vernacular schools are sometimes distasteful to Muhammadan feeling. In some provinces these difficulties have been partially met by the encouragement of special schools for Muhammadans—generally schools of an indigenous type (*mulla* schools or *maktabs*) in which a secular course has been added. The Government of India understand that there is a large body of opinion in favour of an extension of this system. There is reason to think that the preservation of the religion, languages and traditions of Islam can be attained by further modification of the curricula and text-books to suit their needs. At the same time, it has to be recognised that there are considerable tracts in which Muhammadans have entirely dropped the use of Urdu; and it is impossible to lay down a single line of policy for every province or even part of a province. The following general suggestions may, however, with advantage be considered :—

(*i*) The encouragement of *maktabs* to adopt a secular course which will appeal to Muhammadans and will not prevent the teaching of simple Urdu, where necessary, and of the Koran.

(*ii*) Facilities for the teaching of Urdu where Urdu is still a vernacular for practical purposes.

(*iii*) The framing of special text-books for semi-secular *maktabs*.

(*iv*) The inclusion in the text-books for ordinary schools in areas where Muhammadans are numerous, of stories which are not distasteful to Muhammadans and of a certain number of stories of particular interest in them. It is not, however, intended to suggest that the traditional stories of the Hindu religion should be excluded. The exclusion either of Islamic or of Hindu stories would rob the books of much of their value and interest, while the inclusion of both is calculated to remove the complaints which are sometimes made by Muhammadans on this score.

(*v*) The provision of Muhammadan teachers where practicable.

(*vi*) The provision of a separate inspecting agency for Muhammadans.

3. *Secondary and Collegiate education.*—The reasons which have retarded the spread of secondary education among the Muhammadans are the poverty of the community, the linguistic difficulty, the demand for religious instruction and want of Muhammadan representation on the governing bodies of educational institutions. The first has been to a large extent met by special Government scholarships and by endowments. This is essentially a matter for the Local Governments and the community themselves. I am merely to observe that in parts of the country where Muhammadans are slow to enter institutions for technical and industrial training (and it has been noticed that very few Muhammadans have been selected for the State technical scholarships) it may be found desirable to offer some special facilities by way of stipends or scholarships. As to the second, it is alleged that Muhammadans suffer when they have to study English through the medium of a Prakritic vernacular with which they are little acquainted. Special schools or classes may go far to meet this difficulty. The demand for religious instruction can be arranged for in privately-managed hostels attached to Government institutions. It is represented that, in certain parts of the country, the great majority of secondary schools are managed by Hindu bodies; and it was recently observed that among the one hundred ordinary members of the Calcutta Senate only six were Muhammadans. The establishment of special Muhammadan schools and colleges would simplify these matters. But this is an expedient which for financial reasons cannot be adopted generally. And, where it is not feasible, a good deal may be done by reserving a certain number of vacancies for Muhammadan pupils in institutions which, by reason of their reputation, draw many applicants for admission and by safeguarding the interests of the community in other ways. A subsidiary difficulty which may sometimes present itself is that of advance from a semi-secular *maktab* to an institution of higher grade. This, however, is a matter of arrangement in the codes of the various provinces. The suggestions which the Government of India think may be of practical utility in the matter of secondary and collegiate education are :—

(*i*) The improvement of existing institutions for Muhammadans such as the Calcutta Madrasa, the Islamia College, Lahore, and Islamia schools.

(ii) The establishment of separate Muhammadan institutions in places where this can be done without detriment to efficiency or discipline and without unreasonable expense.

(iii) When this is not possible (and it is apprehended it will but seldom be possible) the addition to the staff of a school of a teacher or teachers who will be able either to teach classes in English through the medium of Urdu, or to give special help to Muhammadan boys where a knowledge of some other vernacular is desirable either for the study of English or for general reasons.

(iv) The maintenance of hostels for Muhammadans under private management with religious teaching.

(v) The appointment of a reasonable number of Muhammadans to the committees (where such exist) of Government institutions and to the governing bodies of aided institutions.

(vi) The provision of Muhammadan teachers and inspectors.

4. I am to add that the question whether religious teaching can be permitted in Government hostels tenanted only by Muhammadans and if so, under what conditions, is one which may conveniently be treated of in the communication on religious and moral instruction asked for in my letter No. 1257-1264, dated the 4th September 1911, or, if that communication has already been despatched, then in a separate letter.

5. The Government of India would also like Local Governments to consider whether any further system of scholarships is required for poor Muhammadans at the different stages of instruction.

6. *Girls' Schools*.—No system of Muhammadan education will be complete without arrangements for the education of girls. This form of education is attended with special difficulties in certain parts of the country and probably everywhere the strictest arrangements for *purdah* will be necessary. The general principles which the Government of India desire to see adopted in the matter of the education of girls are detailed in paragraphs 16—18 of the Resolution No. 301-C. D., dated the 21st February 1913.

7. With these general observations I am to commend the whole question to the careful consideration of Local Governments with the suggestion that Committees should be appointed to make recommendations. The Government of India will be glad to be informed in due course of the general conclusions which Local Governments have reached. They do not desire to receive particular schemes; but they are deeply interested in the question from the imperial point of view and they will be glad to know, in connection with the allotment of any funds which may be available, what financial help is desired from imperial revenues. Furthermore, the Secretary of State has recently requested that the annual reports on public instruction might with advantage deal with the progress of primary education among Hindus and Muhammadans respectively. This treatment, as regards Muhammadans, might well be extended to some special mention of their advancement in different branches and grades of education. Attention is invited to the supplementary tables regarding Muhammadan education in the reports from the Madras Presidency.

APPENDIX C.

Statement showing the number of District Board Schools (Urdu and Gurmukhi) opened under the District Board, Jhang, during the last three years.

Kind of School.	1910-11.	1911-12.	1912-13.	Total.
Gurmukhi	1	...	1	2
Urdu	3	2	5	10

APPENDIX C—*concluded.*

Statement showing the population statistics of various communities in each of the villages and towns in which the new Gurmukhi and Urdu Schools have been started during the last three years.

VILLAGES OR TOWNS.	POPULATION STATISTICS OF VARIOUS COMMUNITIES.					REMARKS.
	Hindus.	Muhammadans.	Sikhs.	Others.	Total.	
1910-11.						
Village in which a Gurmukhi School has been started.						
Garhmaharaja	897	1,867	37	3	2,804	
Villages in which Urdu Schools have been started.						
1. Chak 200	199	815	...	– ...	1,014	
2. Chak 185	93	694	...	...	787	
3. Jasrat	67	736	309	...	1,112	
1911-12.						
Villages in which Urdu Schools have been started.						
1. Kot Lukhnana	43	783	...	...	826	
2. Chak 126	101	1,193	7	...	1,301	
1912-13.						
Village in which Gurmukhi School has been started.						
Kot Ise Shah	937	1,270	424	...	2,631	
Villages in which Urdu Schools have been started.						
1. Chak 157	13	407	...	...	420	
2. Sangra	46	1,055	92	...	1,193	
3. Jhok Nur Mahram	62	733	...	...	795	
4. Sahjar	388	1,706	22	...	2,116	
5. Chak 10	55	744	...	...	799	

APPENDIX C—*concluded.*

Statement showing the number and value of stipends or scholarships awarded by the District Board, Jhang, during the last five years to Hindu and Muhammadan scholars, respectively, for instruction in the Central Training College, Lahore, and other educational and training institutions.

INSTITUTION.	1908-09.		1909-10.		1910-11.		1911-12.		1912-13.				TOTAL.			
									Hindus.		Muhammadans.		Hindus.		Muhammadans.	
	Hindu.	Muhammadan.	Hindu.	Muhammadan.	Hindu.	Muhammadan.	Hindu.	Muhammadan.	Number of scholarships	Value of scholarships.	Number of scholarships	Value of scholarships.	Number of scholarships	Value of scholarships.	Number of scholarships	Value of scholarships.
Training Institution, Kot Ise Shah	...	...	...	...	...	...	..	...	5	Amount Rs. 205-1-2 ; value Rs. 6 each.	10	Amount Rs. 415-13-7 ; value Rs. 6 each.	5	Amount Rs. 205-1-2 ; value Rs. 6 each.	10	Amount Rs. 415-13-7 ; value Rs. 6 each.

APPENDIX D.

Statement showing names and dates of appointment to the district of the Jhang teaching and inspecting staff.

Serial No.	Name of officer and designation.	Date of appointment to the Jhang district.
	Inspecting staff.	
1	Lala Sukh Dyal, District Inspector	April 1905.
2	Lala Ram Lal, Assistant District Inspector	May 1906.
3	M. Ghulam Hussain " " "	Recently transferred from Dera Ghâzi Khan.
	Teaching staff (Government High School).	
1	Lala Jaisa Ram, Head Master	June 1913.
2	Pandit Ram Chand, 2nd Master	June 1902.
3	Lala Ram Piyare Mal, 3rd Master	March 1909.
4	Lala Devi Ditta Mal, 1st Oriental Teacher	August 1906.
5	Lala Jawala Das, officiating 4th Master	June 1913.
6	Lala Sant Lal, 5th Master	1909.
7	Lala Ganpat Rai, 6th Master	September 1911.
8	Lala Nand Lal, 7th Master	October 1906.
9	M. Imam Bakhsh, 8th Master	July 1911.
10	M. Nizam-ud-din, Arabic Teacher	September 1906.
11	Lala Pharaya Lal, Junior English Master	January 1905.
12	Lala Radhu Ram, " " "	1912.
13	M. Muhammad Hussain, Drawing Master	April 1911.
14	Lala Ghansham Das, Vernacular Teacher	January 1905.
15	M. Muhammad Ibrahim, Gymnastic Instructor	January 1905.
16	Pandit Ram Lal, Sanskrit Teacher	January 1907.
17	Lala Manak Chand, Vernacular Teacher	January 1905.
18	Pandit Sheo Datt, 2nd Sanskrit Teacher	July 1913.

APPENDIX E.

STATEMENT I.

Assessment rates for the Lower Jhelum Canal Colony.

Circles.	Nahri.		Nahri Jhallari.		Chahi.		Barani.	
	Initial concession rate.	Imposed at Settlement.	Initial concession rate.	Imposed at Settlement.	Initial concession rate.	Imposed at Settlement.	Initial concession rate.	Imposed at Settlement.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Bhera ...	1 0 0	2 14 0	1 0 0	2 0 0	0 12½ 0	1 4 0	0 12½ 0	1 0 0
Chenab (Bhera) ...	0 12 0	1 6 0	0 12 0	1 0 0	0 9½ 0	1 4 0	0 9½ 0	1 0 0
Jhelum (Bhera) ...	0 12½ 0	2 0 0	0 12½ 0	1 6 0	0 9½ 0	1 4 0	0 9½ 0	1 0 0
Sargodha Bar Utla...	0 15 0	3 0 0	0 15 0	2 0 0	0 10 0	1 4 0	0 10 0	1 0 0
Sargodha Bar Hethla	0 12 0	1 14 0	0 12 0	1 6 0	0 9½ 0	1 4 0	0 9½ 0	1 0 0
Am and Jhelum (Shahpur).	0 12½ 0	1 8 0	0 12½ 0	1 4 0	0 9½ 0	1 2 0	0 9½ 0	0 12 0

APPENDIX E—*continued.*

STATEMENT II.

New assessment rates for the Lower Chenab Canal Colony.

(The *old* rate was Re. 1-8-0 per acre.)

Rate per acre of matured crops.	Jhang Branch Circles.			Gugera Branch Circles.		Remarks.
	I.	II.	III.	I.	II.	
Rs. A. P.						
4 8 0	...	...	...	...	*Class I	*Not actually imposed.
4 0 0	Villages, Class I	Villages, Class I	Villages, Class I	Villages, Class I	Villages, Class II.	
3 12 0	...	...	...	...	Do., Class II-A	*Chahi* rate is Re. 1-4-0 in all Circles.
3 8 0	...	...	...	Villages, Class II	Do., Class III.	
3 4 0	Villages, Class II	Villages, Class II	Villages, Class II	Do., Class III	...	
3 0 0	Do., Class III	Do., Class III	Do., Class III	...	Villages, Class IV	*Barani* rate is Re. 0-12-0 in all Circles.
2 12 0	Do., Class IV	Do., Class IV	Do., Class IV	Villages, Class IV	...	
2 8 0	Do., Class V	Do., Class V	Do., Class V	...	Villages, Class V.	
2 4 0	...	...	...	Villages, Class V	...	*Jhallari* rate half flow rate.
2 0 0	Villages, Class VI	Villages, Class VI	Villages, Class VI	Do., Class VI	Villages, Class VI.	
1 8 0	Do., Class VII	Do., Class VII	Do., Class VII	Do., Class VII	Do., Class VII.	
0 12 0	Do., Class VIII	Do., Class VIII	Do., Class VIII	...	...	

APPENDIX E—*concluded.*

STATEMENT III.

Assessment rates on the Rakh Branch, Lower Chenab Canal Colony.

(The *old* rate was Re. 1-8-0 per acre.)

Rate per acre of matured crops.	Rakh Branch.	Remarks.
Rs. A. P.		Rs. A. P.
10 0 0	Town lands	*Chahi* rate ... 1 4 0 per acre.
6 0 0	Class I	*Sailab* rate ... 1 0 0 "
5 8 0	" II	*Barani* rate ... 0 12 0 "
5 0 0	" III	*Jhallari* rate ... Half flow rates.
4 0 0	" IV	
3 0 0	" V	
2 0 0	" VI	

APPENDIX F.

Statement showing the number of Hindus, Muhammadans and Sikhs in the clerical establishments of the offices named below.

Names of offices.	Total strength.	Number of		
		Hindus.	Muhammadans.	Sikhs.
Civil Secretariat				
Public Works Department, Buildings and Roads Branch.	171	55	61	9
Public Works Department, Irrigation Branch ...				
Director of Public Instruction, Punjab ...	29	12	16	1
Inspectors of Schools	42	28	13	1
Chief Court	153	69	60	6

APPENDIX G.

Statement showing the number of Sikhs in the services mentioned below.

	Total strength.	Number of Sikhs.
Extra Assistant Commissioners	161	16
Munsifs	88	5
Tahsildars	140	23
Naib Tahsildars	254	48

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PUNJAB AND ITS DEPENDENCIES.

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PART V.

Bills introduced into the Council of the Lieutenant-Governor of the Punjab for making Laws and Regulations, Reports of Select Committees presented to the Council, and Bills published under Rule 18 of the Rules for the Conduct of Business at Meetings of the Council.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

The 6th December 1913.

No. 371.—The following Bill is published by order of the Lieutenant-Governor under rule 7 of the Rules for the Introduction, consideration and making of Laws and Regulations in the Legislative Council of the Punjab.

S. W. GRACEY,

Secretary, Legislative Council.

Punjab Courts Bill.

CONTENTS.

PUNJAB GOVERNMENT.
LEGISLATIVE DEPARTMENT.

BILL NO. 3 OF 1913.

A Bill to amend and consolidate the Law relating to Courts in the Punjab.

WHEREAS it is expedient to amend and consolidate the Law relating to Courts in the Punjab;

AND WHEREAS the previous sanction of the Governor-General in Council has been accorded under section 5 of the Indian Councils Act, 1892, to the repeal of the Acts of the Governor-General in Council mentioned in the third column of the Schedule to this Act, and to the amendment of section 117 (2) of the Punjab Land Revenue Act, 1887 (XVII of 1887), and of section 99 of the Punjab Tenancy Act, 1887 (XVI of 1887);

It is hereby enacted as follows:—

CHAPTER I.
PRELIMINARY.

Title, extent and commencement.

1. (1) This Act may be called the Punjab Courts Act, 1914.

(2) It extends to the Punjab.

(3) It shall come into force on such date as shall be notified by the Local Government.

Repeal.

2. The enactments specified in the Schedule are hereby repealed to the extent mentioned in the third column thereof.

Definitions.

3. In this Act, unless there is something repugnant in the subject or context,—

(1) "Small cause" means a suit of the nature cognizable by a Court of Small Causes under the Provincial Small Cause Courts Act, 1887:

(2) "Land suit" means a suit relating to land as defined in section 4 (1) of the Punjab Tenancy Act, 1887, or to any right or interest in such land:

(3) "Unclassed suit" means a suit which is neither a small cause nor a land suit: and

(4) "Value" used with reference to a suit means the amount or value of the subject-matter of the suit.

CHAPTER II.
THE CHIEF COURT.

Constitution of Chief Court and appointment and tenure of Judges.

4. There shall continue to be a Chief Court consisting of five or more Judges who shall be appointed by the Governor-General in Council and shall hold their offices during his pleasure, and of whom two at least shall always be Barristers of not less than five years' standing.

The Governor-General in Council may, in his discretion, from time to time, appoint one of the Judges of the Court to be the Chief Judge, and may, during any vacancy of the office of Chief Judge, and during any absence of the Chief Judge, appoint one of the other Judges of the Court to perform the duties of Chief Judge until a new Chief Judge has been appointed and has entered upon the discharge of the duties of his office, or until the Chief Judge has returned from such absence, as the case may be.

Rank and precedence of Chief Judge and Judges of Chief Court.

5. (1) The Chief Judge (if any), whether permanent or officiating, shall have rank and precedence before the other Judges of the Court.

(2) Save as aforesaid and subject to any general or special direction by the Governor-General in Council, the Judges shall have rank and precedence according to the seniority of their appointments as such Judges; except that a Judge permanently appointed shall be deemed to be senior to, and shall have rank and precedence before, an officiating Judge.

(3) In the construction of this Act the expression 'the Senior Judge' shall mean the Judge for the time being entitled to the first place in rank and precedence.

Civil appellate jurisdiction.

6. The Chief Court shall be deemed for the purposes of all enactments for the time being in force to be the highest Civil Court of appeal in the territories to which this Act extends.

Criminal jurisdiction.

7. The Chief Court shall be the highest Court of criminal appeal or revision in the said territories, and shall have power, as a Court of original jurisdiction, to try European British subjects committed to it for trial.

Delegation of powers to members of Court.

8. (1) Except as by this Act or by any other enactment for the time being in force otherwise provided, the Chief Court may make rules to provide in such manner as it thinks fit for the exercise by one or more of its Judges of any of its powers.

Full Bench.

(2) The Chief Court may make rules, declaring what number of Judges, not being less than three, shall constitute a Full Bench of the Court, and may by these rules prescribe the mode of determining which Judges shall sit as a Full Bench, when a Full Bench sitting becomes necessary.

(3) Subject to the provisions of sub-section (2), the Senior Judge may determine which Judge in each case shall sit alone, and which Judges of the Court shall constitute any bench.

9. Except as otherwise provided by any enactment for the time being in force, an appeal from any decree or order made by the Chief Court,—

Appeals from original jurisdiction of Chief Court.

(*a*) in exercise of its original jurisdiction in cases withdrawn from other Courts under section 24 of the Code of Civil Procedure, or

India Act V of 1908.

(*b*) in exercise of any other original jurisdiction of a civil nature to which the Chief Court may by rule extend this section,

shall lie in the cases and in manner following (that is to say) :—

(*1*) if the decree or order is made by a single Judge, the appeal shall lie either to a bench consisting of two other Judges, or to a Full Bench, as the Court may, by general rule or special order, direct;

(*2*) if the decree or order is made by a bench of Judges not being a Full Bench, and the Judges differ in opinion, the appeal shall lie to a Full Bench.

10. Except as otherwise provided by any enactment for the time being in force,—

Rule of decision when Judges differ.

(*1*) when there is a difference of opinion among the Judges composing any bench of the Chief Court, the decision shall be in accordance with the opinion of the majority of those Judges;

(*2*) if there is no such majority, then,—

(*a*) if the bench is a Full Bench, or is exercising original civil jurisdiction, the decision shall be in accordance with the opinion of the Senior Judge;

(*b*) in other cases the bench before which the question has arisen shall refer the question to a Full Bench, and shall dispose of the case in accordance with the decision of the Full Bench.

11. Any single Judge of the Chief Court and any bench of the Judges of that Court, not being a Full Bench, may in any case refer for the decision of a Full Bench any question of law or custom having the force of law, or the construction of any document, or the admissibility of any evidence arising before the Judge or bench, and shall dispose of the case in accordance with the decision of the Full Bench on the question.

Power to refer question to Full Bench.

12. When in any case any such question as is referred to in section 11 has been decided by a Judge of the Chief Court exercising the jurisdiction of the Chief Court as a Court having power to try European British subjects committed to it for trial, or exercising extraordinary criminal original jurisdiction under section 526 of the Code of Criminal Procedure, 1898, and no reference has been made under the provisions of that section or of section 434 of the Code of Criminal Procedure, 1898, the Chief Court may, on its being certified by the Government Advocate that in his opinion the decision should be further considered, review the case or such part of it as may be necessary, and finally determine the question, and may thereupon alter the judgment, order or sentence passed by the Judge, and pass such judgment, order or sentence as it thinks right.

Review in certain criminal cases.

India Act V of 1898.

13. (*1*) The Chief Court may appoint a Registrar and Deputy Registrar, and such other ministerial officers as may be necessary for the administration of justice by the Court, and for the exercise and performance of the powers and duties conferred and imposed on it by this Act.

Ministerial officers.

(*2*) The appointment of the Registrar shall be subject to the sanction of the Local Government.

(*3*) The officers appointed under this section shall exercise such powers and discharge such duties of a non-judicial or quasi-judicial nature as the Chief Court may direct.

(*4*) Any such officer may be suspended or dismissed from his office by order of the Chief Court:

Provided that neither the Registrar nor the Deputy Registrar shall be dismissed without the previous sanction of the Local Government.

14. The general superintendence and control over all other Civil Courts shall be vested in, and all such Courts shall be subordinate to, the Chief Court.

Superintendence and control of subordinate courts.

15. (*1*) The Chief Court may make rules consistent with this Act and any other enactment for the time being in force—

Power to make rules.

(*a*) providing for the translation of any papers filed in the Chief Court and copying or printing any such papers or translations, and requiring from the persons at whose instance or on whose behalf they are filed payment of the expenses thereby incurred;

(b) declaring what persons shall be permitted to practise as petition-writers in the Courts of the Punjab, regulating the conduct of business by persons so practising, and determining the authority by which breaches of rules under this clause shall be tried;

(c) determining in what cases persons practising in those Courts shall be permitted to address the Court in English;

(d) prescribing forms for seals to be used by those Courts;

(e) regulating the procedure in cases where any person is entitled to inspect a record of any such Court or obtain a copy of the same, and prescribing the fees payable by such persons for searches and copies;

(f) conferring and imposing on the ministerial officers of the Courts, subject to its superintendence, such powers and duties of a non-judicial or quasi-judicial nature as it thinks fit, and regulating the mode in which powers and duties so conferred and imposed shall be exercised and performed;

(g) prescribing forms for such books, entries, statistics and accounts as it thinks necessary to be kept, made or compiled in those Courts or submitted to any authority;

(h) providing for the inspection of those Courts and the supervision of the working thereof;

(i) regulating the exercise of the control vested in the Chief Court by section 35 (4); and

(j) regulating all such matters as it may think fit, with a view to promoting the efficiency of the judicial and ministerial officers of those Courts, and maintaining proper discipline among those officers.

(2) A rule made under clause (a), (b), (c), (f), (g), (h) or (i) shall not take effect until it has been sanctioned by the Local Government and has been published in the official Gazette.

(3) Whoever breaks any rule made under clause (b) shall be punished with a fine which may extend to fifty rupees.

Registers, books, accounts and statements to be kept and furnished by Chief Court.

16. (1) The Chief Court shall keep such registers, books and accounts as may be necessary for the transaction of the business of the Court, and shall submit to the Local Government such of those registers, books and accounts, and such statements of the work done in the Court, as may be required by the said Government.

(2) The Chief Court shall also comply with such requisitions as may be made by the Governor-General in Council, or by the Local Government for certified copies of, or extracts from, the records of the Chief Court and the Courts subordinate thereto.

Procedure of Chief Court in exercise of civil jurisdiction.

17. (1) The Chief Court, when sitting as a Court of Civil Judicature, shall take evidence and record judgments and orders in such manner as it, by rule, directs, and may frame forms for any proceeding in the Court in the exercise of its civil jurisdiction.

(2) The following provisions of the Code of Civil Procedure shall not apply to the Chief Court in the exercise of its original civil jurisdiction, namely, rule 3 of Order X, rules 5 to 9 (both inclusive), rule 11, rules 13 to 15 (both inclusive) and rule 16 of Order XVIII (so far as it relates to the manner of taking evidence), rules 1, 3, 4 and 5 of Order XX, and so much of rule 7 of Order XXXIII as relates to the making of a memorandum. India Act V of 1908.

(3) Rule 35 of Order XLI of the said Code shall not apply to the Chief Court in the exercise of its appellate jurisdiction.

CHAPTER III.

THE SUBORDINATE CIVIL COURTS.

Classes of Courts.

Classes of Courts.

18. Besides the Chief Court, the Courts of Small Causes established under the Provincial Small Cause Courts Act, 1887, and the Courts established under any other enactment for the time being in force, there shall be the following classes of Civil Courts, namely :— Compare Bengal Act XII of 1887, section 3.

(1) The Court of the District Judge:

(2) The Court of the Additional Judge:

(3) The Court of the Subordinate Judge: and

(4) The Court of the Munsif.

Civil districts.

19. (1) For the purposes of this Act the Local Government shall divide the territories under its administration into civil districts. Cf. section 18, Punjab Act.

(2) The Local Government may alter the limits or the number of these districts.

District Judges.

20. The Local Government shall appoint as many persons as it thinks necessary to be District Judges, and shall post one such person to each district as District Judge of that district: Cf. section 20 idem.

Provided that the same person may, if the Local Government thinks fit, be appointed to be District Judge of two or more districts.

Cf. section 8, Bengal Act, and section 75, Punjab Act.

Additional Judges.

21. (*1*) When the business pending before any District Judge requires the aid of an Additional Judge or Judges for its speedy disposal, the Local Government may appoint such Additional Judges as may be necessary.

(*2*) An Additional Judge so appointed shall discharge any of the functions of a District Judge which the District Judge may assign to him, and in the discharge of those functions he shall exercise the same powers as the District Judge.

Cf. section 24, Punjab Act.

Subordinate Judges.

22. The Local Government may appoint as many persons as it thinks necessary to be Subordinate Judges.

Cf. section 25, idem.

Munsifs.

23. (*1*) The Local Government may fix the number of Munsifs to be appointed, and when there is any vacancy in that number the Chief Court may, subject to the rules if any made under sub-section (*2*), appoint such person to the same as it thinks fit.

(*2*) The Chief Court may, with the previous sanction of the Local Government, make rules as to the qualifications of persons to be appointed Munsifs.

Cf. section 23, idem.

District Court to be principal Civil Court of original jurisdiction.

24. The Court of the District Judge shall be deemed to be the District Court or principal Civil Court of original jurisdiction in the district.

Cf. section 22, idem.

Original jurisdiction of District Judge in suits.

25. Except as otherwise provided by any enactment for the time being in force, the Court of the District Judge shall have jurisdiction in original civil suits without limit as regards the value.

Cf. section 26, idem.

Pecuniary limits of jurisdiction of Subordinate Judges and Munsifs.

26. (*1*) The jurisdiction to be exercised in original civil suits as regards the value by any person appointed to be a Subordinate Judge shall be determined by the Local Government; and the jurisdiction to be exercised in original civil suits as regards the value by any person appointed to be a Munsif shall be determined, by the Chief Court, either by including him in a class or grade, or otherwise as it thinks fit.

(*2*) The jurisdiction in the case of a Subordinate Judge may be without limit, but in the case of a Munsif shall not extend to suits the value of which exceeds one thousand rupees:

Cf. section 19 (2), Bengal Act.

Provided that the Local Government may on the recommendation of the Chief Court direct by notification in the official Gazette with respect to any Munsif named therein that his jurisdiction shall extend to small causes and unclassed suits of such value not exceeding two thousand rupees as may be specified in the notification.

Cf. section 27, Punjab Act.

Local limits of jurisdiction.

27. (*1*) The local limits of the jurisdiction of a Subordinate Judge shall be such as the Local Government may define.

(*2*) The local limits of the jurisdiction of a Munsif shall be such as the Chief Court may define.

(*3*) When the Local Government posts a Subordinate Judge, or the Chief Court posts a Munsif, to a district, the local limits of the district shall, in the absence of any direction to the contrary, be deemed to be the local limits of his jurisdiction.

Cf. section 28, Punjab Act.

Special Judges and Benches.

28. (*1*) The Local Government may confer on any person all or any of the powers conferable under this Act on a Subordinate Judge or Munsif with respect to particular classes of cases, or with respect to cases generally in any local area, and may withdraw, or suspend, the exercise of any powers so conferred.

(*2*) The Local Government may direct any uneven number of persons invested with powers of the same description and exercisable within the same local area under this section to sit together as a bench; and those powers shall, while the direction remains in force, be exercised by the bench so constituted, and not otherwise.

(*3*) The decision of the majority of the members of a bench constituted under this section shall be deemed to be the decision of the bench.

(*4*) Persons on whom powers are conferred under this section shall be called Special Judges, and such persons and the benches constituted under this section shall be deemed, for the purposes of this Act, to be Subordinate Judges or Munsifs, as the Local Government may direct.

Cf. section ..., Bengal Act, and section 30, Punjab Act.

Power to invest Subordinate Judge and Munsif with Small Cause Court jurisdiction.

29. The Local Government may, by notification in the official Gazette, confer, within such local limits as it thinks fit upon any Subordinate Judge or Munsif, the jurisdiction of a Judge of a Court of Small Causes under the Provincial Small Cause Courts Act, 1887, for the trial of suits, cognizable by such Courts, up to such value not exceeding five hundred rupees in the case of a Subordinate Judge or two hundred and fifty rupees in the case of a Munif as it thinks fit, and may withdraw any jurisdiction so conferred.

IX of 1887.

Cf. section 23, Bengal Act.

Exercise by Subordinate Judge or Munsif of jurisdiction of District Court in certain proceedings.

30. (*1*) The Chief Court may by general or special order authorise any Subordinate Judge or Munsif to take cognizance of, or any District Judge to transfer to a Subordinate Judge or Munsif under his control, any of the proceedings next hereinafter mentioned or any class of those proceedings specified in such order.

(2) The proceedings referred to in sub-section (1) are the following, namely :—

(a) Proceedings under the Indian Succession Act, 1865, and the Probate and Administration Act, 1881, which cannot be disposed of by District Delegates.

(b) Proceedings under the Guardian and Wards Act, 1890.

(3) The District Judge may withdraw any such proceedings taken cognizance of by or transferred to a Subordinate Judge or Munsif, and may either himself dispose of them or transfer them to a Court under his control competent to dispose of them.

(4) Subject to the provisions of section 41, proceedings taken cognizance of by or transferred to a Subordinate Judge or Munsif as the case may be under this section shall be disposed of by him, subject to the rules applicable to like proceedings when disposed of by the District Judge.

Place of sitting of Court.

31. (1) The Local Government may fix the place or places at which any Court under this Act is to be held.

(2) The place or places so fixed may be beyond the local limits of the jurisdiction of the Court.

(3) Except as may be otherwise provided by any order under this section, a Court under this Act may be held at any place within the local limits of its jurisdiction.

Suspension and removal.

32. (1) Any District Judge or Subordinate Judge may be suspended or removed from office by the Local Government.

(2) Any Munsif may, subject to the control of the Local Government, be suspended or removed from office by the Chief Court.

Control of Courts.

33. Subject to the general superintendence and control of the Chief Court, the District Judge shall have control over all the Civil Courts under this Act within the local limits of his jurisdiction.

Power to distribute business.

34. Notwithstanding anything contained in the Code of Civil Procedure, every District Judge may by written order direct that any civil business cognizable by his Court and the Courts under his control shall be distributed among such Courts in such manner as he thinks fit :

Provided that no direction issued under this section shall empower any Court to exercise any powers or deal with any business beyond the limits of its proper jurisdiction.

Ministerial officers of subordinate courts.

35. (1) The ministerial officers of the District Courts and Courts of Small Causes shall be appointed, and may be suspended or removed by the Judges of those Courts, respectively. *Cf.* section 36, idem.

(2) The ministerial officers of all Courts controlled by a District Court, other than Courts of Small Causes, shall be appointed, and may be suspended or removed by the District Court.

(3) Every appointment under this section shall be subject to such rules as the Local Government prescribes in this behalf, and, in dealing with any matter under this section, a Judge of a Court of Small Causes shall act subject to the control of the District Court.

(4) Any order passed by a District Judge under this section shall be subject to the control of the Chief Court.

Power to fine ministerial officers.

36. (1) A District Court or any Court under the control of a District Court may fine, in an amount not exceeding one month's salary, any ministerial officer of the Court for misconduct or neglect in the performance of his duties. *Cf.* section 37, idem.

(2) The District Court may, on appeal or otherwise, reverse or modify an order made under sub-section (1) by any Court under its control, and may of its own motion fine up to the amount of one month's salary any ministerial officer of any Court under its control.

Delegation of District Judge's powers.

37. A District Court may, with the previous sanction of the Local Government, delegate to any Subordinate Judge in the district the powers conferred on a District Court by sections 33, 34 and 35 of this Act, and section 24 of the Code of Civil Procedure, to be exercised by the Subordinate Judge in any specified portion of the district, subject to the control of the District Court. *Cf.* section 38, Punjab Act. India Act V of 1908.

CHAPTER IV.

APPELLATE AND REVISIONAL JURISDICTION IN CIVIL CASES.

Appeals from District Judge or Additional Judges.

38. (1) Save as otherwise provided by any enactment for the time being in force, an appeal from a decree or order of a District Judge or Additional Judge exercising original jurisdiction shall lie to the Chief Court. *Cf.* section 39 (1), Punjab Act, and section 20, Bengal Act.

(2) An appeal shall not lie to the Chief Court from a decree or order of an Additional Judge in any case in which, if the decree or order had been made by the District Judge, an appeal would not lie to that Court.

Cf. section 21, Bengal Act, and section 39 (*b*) and (*c*), Punjab Act.

Appeals from Subordinate Judges and Munsifs.

39. (*1*) Save as aforesaid, an appeal from a decree or order of a Subordinate Judge shall lie—

(*a*) to the District Judge where the value of the original suit in which, or in any proceeding arising out of which, the decree or order was made did not exceed five thousand rupees ; and

(*b*) to the Chief Court in any other case.

Idem.

(*2*) Save as aforesaid, an appeal from a decree or order of a Munsif shall lie to the District Judge.

Idem.

(*3*) Where the function of receiving any appeals which lie to the District Judge under sub-section (*1*) or sub-section (*2*) has been assigned to an Additional Judge, the appeals may be preferred to the Additional Judge.

Cf. section 39, Punjab Act.

(*4*) The Chief Court may, with the previous sanction of the Local Government, by notification in the local official Gazette, direct that appeals lying to the District Court under sub-section (*2*) from all or any of the decrees passed in an original suit by any Munsif shall be preferred to such Subordinate Judge as may be mentioned in the notification, and the appeals shall thereupon be preferred accordingly, and the Court of such Subordinate Judge shall be deemed to be a District Court for the purposes of all appeals so preferred.

Cf. section 22, Bengal Act, and section 42, Punjab Act.

Power to transfer to Subordinate Judge's appeals from Munsifs.

40. (*1*) A District Judge may transfer to any Subordinate Judge under his administrative control any appeals pending before him from the decrees or orders of Munsifs.

(*2*) The District Judge may withdraw any appeal so transferred, and either hear and dispose of it himself or transfer it to a Court under his administrative control competent to dispose of it.

(*3*) Appeals transferred under this section shall be disposed of subject to the rules applicable to like appeals when disposed of by the District Judge.

(*4*) The powers conferred by this section shall be exercised subject to such general or special orders as may from time to time be issued in this behalf by the Chief Court.

Cf. section 24 (1), proviso, Bengal Act.

Appeal from order of Munsifs in proceedings transferred under section 30.

41. An appeal from an order of a Munsif in any proceedings transferred under section 30 shall lie to the District Judge.

Cf. section 40, Punjab Act.

Second appeal.

42. (*1*) An appeal shall lie to the Chief Court frome very decree passed in appeal by any Court subordinate to the Chief Court on any of the following grounds, namely :—

(*a*) the decision being contrary to law or to some custom or usage having the force of law ;

(*b*) the decision having failed to determine some material issue of law or custom or usage having the force of law ;

(*c*) a substantial error or defect in the procedure provided by the Code of Civil Procedure, 1908, or by any other law for the time being in force which may possibly have produced error or defect in the decision of the case upon the merits.

India Act V of 1908.

(*2*) An appeal may lie under this section from an appellate decree passed *ex parte*.

(*3*) Notwithstanding anything in sub-section (*1*) of this section, no appeal shall lie to the Chief Court from a decree passed in appeal by any Court subordinate to the Chief Court regarding the validity or the existence of any custom or usage unless the Judge of the Lower Appellate Court has certified that the custom or usage is of sufficient importance, and that the evidence regarding it is so conflicting or uncertain that there is such substantial doubt regarding its validity or existence as to justify such appeal :

Provided that an application under sub-clause (*3*) of the section shall not be received after the expiration of thirty days from the date on which the decree of the Lower Appellate Court was passed, unless the applicant satisfies the Judge that he had sufficient cause for not presenting it within that period :

Provided also that in computing the period for an appeal under sub-section (*1*) of this section the time during which the application under this sub-section has been pending shall be excluded.

Second appeal on no other grounds.

43. (*1*) No second appeal shall lie except on the grounds mentioned in section 42.

Cf. section 41, Punjab Act.

No second appeal in certain suits.

(*2*) No second appeal shall lie in any suit of the nature cognizable by Courts of Small Causes when the amount or value of the subject-matter of the original suit does not exceed five hundred rupees.

Cf. section 44, Idem.

Power of Chief Court to determine issue of fact.

44. In any second appeal the Chief Court may, if the evidence on the record is sufficient, determine any issue of fact necessary for the disposal of the appeal, but not determined by the Lower Appellate Court.

45. The Chief Court may call for the record of any case which has been decided by any Court subordinate to it and in which no appeal lies thereto, and if such subordinate Court appears—

Revision.

(a) to have exercised a jurisdiction not vested in it by law; or

(b) to have failed to exercise a jurisdiction so vested; or

(c) to have acted in the exercise of its jurisdiction illegally or with material irregularity;

the Chief Court may make such order in the case as it thinks fit.

CHAPTER V.

SUPPLEMENTAL PROVISIONS.

46. Except as otherwise provided by this Act, the Local Government may, when it is empowered by this Act to make any appointment or confer any powers, appoint or confer the powers on any person specially by name or by virtue of his office.

Mode of appointment and conferring powers.

47. Whenever any person holding an office in the service of Government who has been invested with any powers under this Act throughout any local area is transferred or posted at any subsequent time to an equal or higher office of the same nature within a like local area, he shall, unless the Local Government otherwise directs or has otherwise directed, exercise the same powers in the local area to which he is so transferred or posted.

Continuance of powers of officers.

48. (1) Subject to the approval of the Local Government, the Chief Court shall prepare a list of days to be observed in each year as holidays in the Chief Court and Civil Courts subordinate thereto.

Vacations.

Cf. section 67, idem.

(2) Every such list shall be published in the official Gazette.

49. Subject to the provisions of any enactment for the time being in force, the Chief Court may of its own motion, or on the application of a party, withdraw any proceeding which is pending in any Court subordinate to it, and for the withdrawal of which provision is not made in sections 24 and 141 of the Code of Civil Procedure or in section 526 of the Code of Criminal Procedure, 1898, and may either itself dispose of the proceeding or transfer it for disposal to any other subordinate Court.

Transfer of proceedings.

Cf. section 76, idem.

India Act V of 1908.

India Act V of 1898.

50. (a) In section 117 (2) of the Punjab Land Revenue Act, 1887, in sub-clause (c) "Subordinate Judge" shall be substituted for "District Judge," and in sub-clauses (d and (e) "District Court" shall be substituted for "Divisional Court."

Amendment of the Punjab Land Revenue Act and Tenancy Act.

India Act XVII of 1887.

(b) In section 99 (1) of the Punjab Tenancy Act, 1887, "District Judge" shall be substituted for "Divisional Judge."

India Act XVI of 1887.

51. For the definition of "District Judge" in section 2 (15) of the Punjab General Clauses Act, 1898, the following shall be substituted:—

Amendment of definition of District Judge in Punjab General Clauses Act, 1898.

Punjab Act I of 1898.

"District Judge" shall mean the Judge of a principal Civil Court of original jurisdiction, but shall not include the Chief Court in the exercise of its ordinary or extraordinary original civil jurisdiction."

THE SCHEDULE.

(*See section* 2.)

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
		Acts of the Governor-General in Council.	
1884 ...	XVIII ...	The Punjab Courts Act	The whole.
1888 ...	XIII ...	The Punjab Courts Amendment Act	The whole.
1895 ...	XIX ...	Ditto ditto	The whole.
		Acts of the Lieutenant-Governor of the Punjab.	
1909 ...	I ...	Punjab Courts Amendment Act	The whole.
1912 ...	I ...	Ditto ditto	The whole.
1912 ...	IV ...	Ditto ditto	The whole.

S. W. GRACEY,
Secretary, Legislative Council.

C. A. BARRON,
Member.

STATEMENT OF OBJECTS AND REASONS.

THE main object of the present Bill is to effect changes in the Punjab Courts Act rendered necessary by the proposal to introduce District and Sessions Judges in lieu of Divisional and Sessions Judges and District Judges, but the opportunity has also been taken to renumber and re-arrange the sections of the present Act and to introduce a few minor amendments.

Under the present Punjab Courts Act there are the following Courts, excluding the Chief Court :—The Divisional Court, the District Court, the Subordinate Judge's Court and the Munsif's Court. It is proposed that in future there shall be the Court of the District Judge, the Court of the Additional Judge, the Court of the Subordinate Judge and the Court of the Munsif. The Court of the Divisional Judge will be abolished and the Court of the District Judge will become the highest Civil Court after the Chief Court. Ordinarily there will be a District Judge for each district, but the Local Government may, where necessary, appoint the same person to be District Judge for two or more districts. Under the new scheme the District Judge will, in addition to discharging the duties now performed by the Divisional Judge under the Indian Divorce Act, the Legal Practitioners' Act and the Land Acquisition Act and as an Appellate Court, continue to exercise many of the functions of the present District Judge. He will be the principal Civil Court of the District and will have full power to try original civil suits. He will also continue to be the District Court for the purposes of the Guardian and Wards Act, the Insolvency Act, the Succession Certificate Act and other Acts in which duties are assigned to the District Court. He will, however, have certain powers of delegation.

The Local Government is given power to appoint Additional Judges to assist the District Judge and possessing the like powers. The Local Government may appoint Subordinate Judges who may exercise unlimited jurisdiction in original civil suits and to whom appeals from decrees or orders of Munsifs may be transferred by the District Judge. The Subordinate Judge may in certain cases be authorised to take cognizance of proceedings under the Indian Succession Act, the Probate Act and the Guardian and Wards Act.

The minor alterations are few. In clause 4 the word "three" has been changed to "five," as there is no likelihood of the number of the Judges falling below five. In clause 5 (2) the Governor-General in Council is given power to make any general or special directions in regard to the rank and precedence of the Judge. Section 43 of the present Act in regard to limitation for appeals has been omitted as with the abolition of the Divisional Court it becomes unnecessary.

Certain necessary changes have also been made in the Punjab Land Revenue Act and Punjab Tenancy Act by clause 50, and in section 2 (*15*) of the Punjab General Clauses Act.

S. W. GRACEY,
Secretary, Legislative Council.

C. A. BARRON,
Member.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

The 10*th December* 1913.

No. 373.—The following is published for general information.

S. W. GRACEY,

Secretary, Legislative Council.

THE following Report of the Select Committee on the Bill to extend the Law relating to Fisheries in the Punjab will be presented to the Council of the Lieutenant-Governor of the Punjab for the purpose of making Laws and Regulations on the 20th December 1913 :—

Report of the Select Committee on the Bill to extend the Law relating to Fisheries in the Punjab.

WE, the undersigned members of the Select Committee, do hereby submit our Report on the Bill to extend the Law relating to Fisheries in the Punjab.

1. We have amended clause 3 (1) so as to make it clear that the rules must specify the waters to which they are to apply. This will give the public an opportunity of criticising them before they are made.

2. We have recast clauses 3 (3) (*b*) and (*c*) and removed from here the provisions relating to the offering or exposure of fish for sale, and to prescribed or specified areas, because the rules under this clause can only be applied to waters. These provisions have been embodied in a separate clause 4 to which the above restriction does not apply.

3. We have included "barter" as well as "sale" in clause 4 because it was represented to us that fish are not infrequently bartered.

4. We have removed the previous sub-clause (*a*) of clause 3 (4) and recast it in a new clause 5, so as to make the penalty applicable to the breach of a prohibition notified under clause 4.

5. We have inserted a new clause 6 on the lines of section 7 of the Indian Fisheries Act, 1897, as it appears necessary to provide for the arrest of unknown persons who are seen committing a breach of any rule or prohibition

under the Bill. We understand that when the Bill was originally drafted it was intended to incorporate it in the Indian Fisheries Act so that section 7 of that Act would have applied, and that when the Bill was subsequently framed as a separate measure, the necessity for making separate provision for arrest was overlooked.

6. A revised copy of the Bill, as amended by us, is appended to this Report. The amendments are shown in italics.

7. The Bill was published in the *Punjab Gazette* of the 19th September 1913, and has not in our opinion been so altered as to require republication.

LAHORE:
The 5th December 1913.

R. A. MANT.
P. J. FAGAN.
SOHAN LAL.
YUSAF SHAH.
S. W. GRACEY.

Annexure to the Report of Select Committee.

(*As amended by the Select Committee.*)

BILL No. 2 OF 1913.

A
BILL
TO

Extend the Law relating to Fisheries in the Punjab.

WHEREAS it is expedient to extend the Law relating to Fisheries in the Punjab;

It is hereby enacted as follows:—

Title.
1. (*1*) This Act may be called The Punjab Fisheries Act, 19 .

Extent.
(2) It extends to the whole of the Punjab.

Meaning of terms.
2. In this Act and the Rules thereunder unless there is something repugnant in the subject or context, the expressions "fish" and "private water" shall have the meanings assigned to them in section 3 of the Indian Fisheries Act, 1897.

India Act IV of 1897.

Prohibition and licensing of fishing in selected waters by rules of Local Government.
3. (*1*) The Local Government may make rules for the purposes hereinafter in this section mentioned, and *shall in such rules declare the* waters, not being private waters, *to which all or any of them shall apply.*

(2) The Local Government may by notification apply such rules or any of them to any private water with the consent in writing of the owner thereof and of all persons having for the time being any exclusive right of fishery therein.

(*3*) Such rules may—

(*a*) prohibit fishing except under license and may regulate the granting of such licenses, the fees payable therefor, and the conditions to be inserted therein;

(*b*) prescribe seasons in which *the killing of any fish of any prescribed species shall be prohibited; and*

(*c*) prescribe a minimum size or weight below which no fish of any *prescribed* species shall be killed.

(*4*) In making any rule under this section the Local Government may *provide for*—

(*a*) the seizure, forfeiture and removal of any apparatus erected or used for fishing in contravention of the rule, and

(*b*) the forfeiture of any fish taken by means of any such apparatus.

(*5*) The power to make rules under this section is subject to the condition that they shall be made after previous publication.

Power to prohibit sale of fish.
4. *The Local Government may by notification prohibit in any specified areas the offering or exposing for sale or barter of any fish the killing of which is prohibited by any rule made under section* 3 (3) (*b*) *and* (*c*) *of this Act.*

Penalty.
5 *The breach of any rule made under section* 3 *or of any prohibition notified under section* 4 *shall be* punishable with fine which may extend to one hundred rupees, and when the breach is a continuing breach, with a further fine which may extend to ten rupees for every day after the date of the first conviction during which the breach is proved to have been persisted in; and

Arrest without warrant for offences under the Act.

6. (*1*) *Any police officer, or other person specially empowered by the Local Government in this behalf, may without a warrant arrest any person committing in his view a breach of any rule made under section 3 or of any prohibiton notified under section 4—*

(*a*) *if the name and address of the person are unknown to him, and*

(*b*) *if the person declines to give his name and address, or if there is reason to doubt the accuracy of the name and address if given.*

(*2*) *A person arrested under this section may be detained until his name and address have been correctly ascertained.*

Provided that no person so arrested shall be detained longer than may be necessary for bringing him before a Magistrate, except under the order of a Magistrate for his detention.

Saving of powers under Indian Fisheries Act.

7. Nothing in this Act shall be deemed to limit the powers of the Local Government to make rules under section 6 of the Indian Fisheries Act, 1897. India Act IV of 1897.

S. W. GRACEY,

Secretary, Legislative Council.

3.

2473 PGG—947—12-12-13—SGPP Lahore.

(3) A person [illegible] may [illegible] have been [illegible]

[illegible] before a Magistrate [illegible] order of a Magistrate [illegible]

[illegible]. Nothing in this Act shall be deemed to [illegible] the powers [illegible] the Local Government by any other enactment [illegible] section [illegible] of the Indian [illegible] Act, 18[illegible].

Saving of powers under other enactments.

S. W. GRAVEY,

Secretary, Legislative Council.

[illegible] may [illegible] without order [illegible]

(b) of the [illegible] residence of the person [illegible] and

(c) [illegible] to give his name and address [illegible] to return [illegible]

Government Gazette

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, FRIDAY, DECEMBER 26, 1913

PART V.

Bills introduced into the Council of the Lieutenant-Governor of the Punjab for making Laws and Regulations, Reports of Select Committees presented to the Council, and Bills published under Rule 18 of the Rules for the Conduct of Business at Meetings of the Council

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

THE following Bill was introduced in the Council of the Lieutenant-Governor of the Punjab for the purpose of making Laws and Regulations on the 20th December 1913 :—

Punjab Courts Bill.

CONTENTS.

PUNJAB GOVERNMENT.
LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Lieutenant-Governor of the Punjab for the purpose of making Laws and Regulations on the 20th December 1913 :—

BILL No. 3 OF 1913.

A Bill to amend and consolidate the Law relating to Courts in the Punjab.

WHEREAS it is expedient to amend and consolidate the Law relating to Courts in the Punjab ;

AND WHEREAS the previous sanction of the Governor-General in Council has been accorded under section 5 of the Indian Councils Act, 1892, to the repeal of the Acts of the Governor-General in Council mentioned in the third column of the Schedule to this Act, and to the amendment of section 117 (2) of the Punjab Land Revenue Act, 1887 (XVII of 1887), and of section 99 of the Punjab Tenancy Act, 1887 (XVI of 1887) ;

It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

Title, extent and commencement.

1. (1) This Act may be called the Punjab Courts Act, 1914.

(2) It extends to the Punjab

(3) It shall come into force on such date as shall be notified by the Local Government.

Repeal.

2. The enactments specified in the Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

Definitions.

3. In this Act, unless there is something repugnant in the subject or context,—

(1) "Small cause" means a suit of the nature cognizable by a Court of Small Causes under the Provincial Small Cause Courts Act, 1887 :

(2) "Land suit" means a suit relating to land as defined in section 4 (1) of the Punjab Tenancy Act, 1887, or to any right or interest in such land :

(3) "Unclassed suit" means a suit which is neither a small cause nor a land suit : and

(4) "Value" used with reference to a suit means the amount or value of the subject-matter of the suit.

CHAPTER II.

THE CHIEF COURT.

Constitution of Chief Court and appointment and tenure of Judges.

4. There shall continue to be a Chief Court consisting of five or more Judges who shall be appointed by the Governor-General in Council and shall hold their offices during his pleasure, and of whom two at least shall always be Barristers of not less than five years' standing.

The Governor-General in Council may, in his discretion, from time to time, appoint one of the Judges of the Court to be the Chief Judge, and may, during any vacancy of the office of Chief Judge, and during any absence of the Chief Judge, appoint one of the other Judges of the Court to perform the duties of Chief Judge until a new Chief Judge has been appointed and has entered upon the discharge of the duties of his office, or until the Chief Judge has returned from such absence, as the case may be.

Rank and precedence of Chief Judge and Judges of Chief Court.

5 (1) The Chief Judge (if any), whether permanent or officiating, shall have rank and precedence before the other Judges of the Court.

(2) Save as aforesaid and subject to any general or special direction by the Governor-General in Council, the Judges shall have rank and precedence according to the seniority of their appointments as such Judges ; except that a Judge permanently appointed shall be deemed to be senior to, and shall have rank and precedence before, an officiating Judge.

(3) In the construction of this Act the expression 'the Senior Judge' shall mean the Judge for the time being entitled to the first place in rank and precedence.

Civil appellate jurisdiction.

6. The Chief Court shall be deemed for the purposes of all enactments for the time being in force to be the highest Civil Court of appeal in the territories to which this Act extends.

Criminal jurisdiction.

7. The Chief Court shall be the highest Court of criminal appeal or revision in the said territories, and shall have power, as a Court of original jurisdiction, to try European British subjects committed to it for trial.

Delegation of powers to members of Court.

8. (1) Except as by this Act or by any other enactment for the time being in force otherwise provided, the Chief Court may make rules to provide in such manner as it thinks fit for the exercise by one or more of its Judges of any of its powers.

Full Bench.

(2) The Chief Court may make rules, declaring what number of Judges, not being less than three, shall constitute a Full Bench of the Court, and may by these rules prescribe the mode of determining which Judges shall sit as a Full Bench, when a Full Bench sitting becomes necessary.

(3) Subject to the provisions of sub-section (2), the Senior Judge may determine which Judge in each case shall sit alone, and which Judges of the Court shall constitute any bench.

Appeals from original jurisdiction of Chief Court.

9. Except as otherwise provided by any enactment for the time being in force, an appeal from any decree or order made by the Chief Court,—

(a) in exercise of its original jurisdiction in cases withdrawn from other Courts under section 24 of the Code of Civil Procedure, or

India Act V of 1908.

(b) in exercise of any other original jurisdiction of a civil nature to which the Chief Court may by rule extend this section,

shall lie in the cases and in manner following (that is to say):—

(1) if the decree or order is made by a single Judge, the appeal shall lie either to a bench consisting of two other Judges, or to a Full Bench, as the Court may, by general rule or special order, direct;

(2) if the decree or order is made by a bench of Judges not being a Full Bench, and the Judges differ in opinion, the appeal shall lie to a Full Bench.

Rule of decision when Judges differ.

10. Except as otherwise provided by any enactment for the time being in force,—

(1) when there is a difference of opinion among the Judges composing any bench of the Chief Court the decision shall be in accordance with the opinion of the majority of those Judges;

(2) if there is no such majority, then,—

(a) if the bench is a Full Bench, or is exercising original civil jurisdiction, the decision shall be in accordance with the opinion of the Senior Judge;

(b) in other cases the bench before which the question has arisen shall refer the question to a Full Bench, and shall dispose of the case in accordance with the decision of the Full Bench.

Power to refer question to Full Bench.

11. Any single Judge of the Chief Court and any bench of the Judges of that Court, not being a Full Bench, may in any case refer for the decision of a Full Bench any question of law or custom having the force of law, or the construction of any document, or the admissibility of any evidence arising before the Judge or bench, and shall dispose of the case in accordance with the decision of the Full Bench on the question.

Review in certain criminal cases.

12. When in any case any such question as is referred to in section 11 has been decided by a Judge of the Chief Court exercising the jurisdiction of the Chief Court as a Court having power to try European British subjects committed to it for trial, or exercising extraordinary criminal original jurisdiction under section 526 of the Code of Criminal Procedure, 1898, and no reference has been made under the provisions of that section or of section 434 of the Code of Criminal Procedure, 1898, the Chief Court may, on its being certified by the Government Advocate that in his opinion the decision should be further considered, review the case or such part of it as may be necessary, and finally determine the question, and may thereupon alter the judgment, order or sentence passed by the Judge, and pass such judgment, order or sentence as it thinks right.

India Act V of 1898.

Ministerial officers.

13. (1) The Chief Court may appoint a Registrar and Deputy Registrar, and such other ministerial officers as may be necessary for the administration of justice by the Court, and for the exercise and performance of the powers and duties conferred and imposed on it by this Act.

(2) The appointment of the Registrar shall be subject to the sanction of the Local Government.

(3) The officers appointed under this section shall exercise such powers and discharge such duties of a non-judicial or quasi-judicial nature as the Chief Court may direct.

(4) Any such officer may be suspended or dismissed from his office by order of the Chief Court:

Provided that neither the Registrar nor the Deputy Registrar shall be dismissed without the previous sanction of the Local Government.

Superintendence and control of subordinate courts.

14. The general superintendence and control over all other Civil Courts shall be vested in, and all such Courts shall be subordinate to, the Chief Court.

Power to make rules.

15. (1) The Chief Court may make rules consistent with this Act and any other enactment for the time being in force—

(a) providing for the translation of any papers filed in the Chief Court and copying or printing any such papers or translations, and requiring from the persons at whose instance or on whose behalf they are filed payment of the expenses thereby incurred;

(b) declaring what persons shall be permitted to practise as petition-writers in the Courts of the Punjab, regulating the conduct of business by persons so practising, and determining the authority by which breaches of rules under this clause shall be tried;

(c) determining in what cases persons practising in those Courts shall be permitted to address the Court in English;

(d) prescribing forms for seals to be used by those Courts;

(e) regulating the procedure in cases where any person is entitled to inspect a record of any such Court or obtain a copy of the same, and prescribing the fees payable by such persons for searches and copies;

(f) conferring and imposing on the ministerial officers of the Courts, subject to its superintendence, such powers and duties of a non-judicial or quasi-judicial nature as it thinks fit, and regulating the mode in which powers and duties so conferred and imposed shall be exercised and performed;

(g) prescribing forms for such books, entries, statistics and accounts as it thinks necessary to be kept, made or compiled in those Courts or submitted to any authority;

(h) providing for the inspection of those Courts and the supervision of the working thereof;

(i) regulating the exercise of the control vested in the Chief Court by section 35 (4); and

(j) regulating all such matters as it may think fit, with a view to promoting the efficiency of the judicial and ministerial officers of those Courts, and maintaining proper discipline among those officers.

(2) A rule made under clause (a), (b), (c), (f), (g), (h) or (i) shall not take effect until it has been sanctioned by the Local Government and has been published in the official Gazette.

(3) Whoever breaks any rule made under clause (b) shall be punished with a fine which may extend to fifty rupees.

Registers, books, accounts and statements to be kept and furnished by Chief Court.

16. (1) The Chief Court shall keep such registers, books and accounts as may be necessary for the transaction of the business of the Court, and shall submit to the Local Government such of those registers, books and accounts, and such statements of the work done in the Court, as may be required by the said Government.

(2) The Chief Court shall also comply with such requisitions as may be made by the Governor-General in Council, or by the Local Government for certified copies of, or extracts from, the records of the Chief Court and the Courts subordinate thereto.

Procedure of Chief Court in exercise of civil jurisdiction.

17. (1) The Chief Court, when sitting as a Court of Civil Judicature, shall take evidence and record judgments and orders in such manner as it, by rule, directs, and may frame forms for any proceeding in the Court in the exercise of its civil jurisdiction.

India Act V of 1908.

(2) The following provisions of the Code of Civil Procedure shall not apply to the Chief Court in the exercise of its original civil jurisdiction, namely, rule 3 of Order X, rules 5 to 9 (both inclusive), rule 11, rules 13 to 15 (both inclusive) and rule 16 of Order XVIII (so far as it relates to the manner of taking evidence), rules 1, 3, 4 and 5 of Order XX, and so much of rule 7 of Order XXXIII as relates to the making of a memorandum.

(3) Rule 35 of Order XLI of the said Code shall not apply to the Chief Court in the exercise of its appellate jurisdiction.

CHAPTER III.

THE SUBORDINATE CIVIL COURTS.

Classes of Courts.

Classes of Courts.

Compare Bengal Act XII of 1887, section 3.

18. Besides the Chief Court, the Courts of Small Causes established under the Provincial Small Causes Courts Act, 1887, and the Courts established under any other enactment for the time being in force, there shall be the following classes of Civil Courts, namely :—

(1) The Court of the District Judge :

(2) The Court of the Additional Judge :

(3) The Court of the Subordinate Judge :

and

(4) The Court of the Munsif.

Civil districts.

Cf. section 18, Punjab Act.

19. (1) For the purposes of this Act the Local Government shall divide the territories under its administration into civil districts.

(2) The Local Government may alter the imits or the number of these districts.

District Judges.

Cf. section 20 idem.

20. The Local Government shall appoint as many persons as it thinks necessary to be District Judges, and shall post one such person to each district as District Judge of that district :

Provided that the same person may, if the Local Government thinks fit, be appointed to be District Judge of two or more districts.

Cf. section 8, Bengal Act, and section 25, Punjab Act.

Additional Judges.

21. (*1*) When the business pending before any District Judge requires the aid of an Additional Judge or Judges for its speedy disposal, the Local Government may appoint such Additional Judges as may be necessary.

(*2*) An Additional Judge so appointed shall discharge any of the functions of a District Judge which the District Judge may assign to him, and in the discharge of those functions he shall exercise the same powers as the District Judge.

Cf. section 24, Punjab Act.

Subordinate Judges.

22. The Local Government may appoint as many persons as it thinks necessary to be Subordinate Judges.

Cf. section 25, idem.

Munsifs.

23. (*1*) The Local Government may fix the number of Munsifs to be appointed, and when there is any vacancy in that number the Chief Court may, subject to the rules if any made under sub-section (*2*), appoint such person to the same as it thinks fit.

(*2*) The Chief Court may, with the previous sanction of the Local Government, make rules as to the qualifications of persons to be appointed Munsifs.

Cf. section 23, idem.

District Court to be principal Civil Court of original jurisdiction.

24. The Court of the District Judge shall be deemed to be the District Court or principal Civil Court of original jurisdiction in the district.

Cf. section 22, idem.

Original jurisdiction of District Judge in suits.

25. Except as otherwise provided by any enactment for the time being in force, the Court of the District Judge shall have jurisdiction in original civil suits without limit as regards the value.

Cf. section 26, idem.

Pecuniary limits of jurisdiction of Subordinate Judges and Munsifs.

26. (*1*) The jurisdiction to be exercised in original civil suits as regards the value by any person appointed to be a Subordinate Judge, or Munsif shall, in the case of a Subordinate Judge, be determined by the Local Government, and, in the case of a Munsif, by the Chief Court, either by including him in a class or grade, or otherwise as it thinks fit.

(*2*) The jurisdiction in the case of a Subordinate Judge may be without limit, but in the case of a Munsif shall not extend to suits the value of which exceeds one thousand rupees:

Cf. section 19 (2), Bengal Act

Provided that the Local Government may on the recommendation of the Chief Court direct by notification in the official Gazette with respect to any Munsif named therein that his jurisdiction shall extend to small causes and unclassed suits of such value not exceeding two thousand rupees as may be specified in the notification.

Cf. section 27, Punjab Act.

Local limits of jurisdiction.

27. (*1*) The local limits of the jurisdiction of a Subordinate Judge shall be such as the Local Government may define.

(*2*) The local limits of the jurisdiction of a Munsif shall be such as the Chief Court may define.

(*3*) When the Local Government posts a Subordinate Judge, or the Chief Court posts a Munsif, to a district, the local limits of the district shall, in the absence of any direction to the contrary, be deemed to be the local limits of his jurisdiction.

Cf. section 28, Punjab Act.

Special Judges and Benches.

28. (*1*) The Local Government may confer on any person all or any of the powers conferable under this Act on a Subordinate Judge or Munsif with respect to particular classes of cases, or with respect to cases generally in any local area, and may withdraw, or suspend, the exercise of any powers so conferred.

(*2*) The Local Government may direct any uneven number of persons invested with powers of the same description and exercisable within the same local area under this section to sit together as a bench; and those powers shall, while the direction remains in force, be exercised by the bench so constituted, and not otherwise.

(*3*) The decision of the majority of the members of a bench constituted under this section shall be deemed to be the decision of the bench.

(*4*) Persons on whom powers are conferred under this section shall be called Special Judges, and such persons and the benches constituted under this section shall be deemed, for the purposes of this Act, to be Subordinate Judges or Munsifs, as the Local Government may direct.

Cf. section 21, Bengal Act, and section 30, Punjab Act.

Power to invest Subordinate Judge and Munsif with Small Cause Court jurisdiction.

India Act IX of 1887.

29. The Local Government may, by notification in the official Gazette, confer, within such local limits as it thinks fit upon any Subordinate Judge or Munsif, the jurisdiction of a Judge of a Court of Small Causes under the Provincial Small Cause Courts Act, 1887, for the trial of suits, cognizable by such Courts, up to such value not exceeding five hundred rupees in the case of a Subordinate Judge or two hundred and fifty rupees in the case of a Munif as it thinks fit, and may withdraw any jurisdiction so conferred.

Cf. section 23, Bengal Act.

Exercise by Subordinate Judge or Munsif of jurisdiction of District Court in certain proceedings.

30. (*1*) The Chief Court may by general or special order authorise any Subordinate Judge or Munsif to take cognizance of, or any District Judge to transfer to a Subordinate Judge or Munsif under his control, any of the proceedings next hereinafter mentioned or any class of those proceedings specified in such order.

(2) The proceedings referred to in sub-section (1) are the following, namely :—

(a) Proceedings under the Indian Succession Act, 1865, and the Probate and Administration Act, 1881, which cannot be disposed of by District Delegates.

(b) Proceedings under the Guardian and Wards Act, 1890.

(3) The District Judge may withdraw any such proceedings taken cognizance of by or transferred to a Subordinate Judge or Munsif, and may either himself dispose of them or transfer them to a Court under his control competent to dispose of them.

(4) Subject to the provisions of section 41, proceedings taken cognizance of by or transferred to a Subordinate Judge or Munsif as the case may be under this section shall be disposed of by him, subject to the rules applicable to like proceedings when disposed of by the District Judge.

Place of sitting of Court.

31. (1) The Local Government may fix the place or places at which any Court under this Act is to be held.

(2) The place or places so fixed may be beyond the local limits of the jurisdiction of the Court.

(3) Except as may be otherwise provided by any order under this section, a Court under this Act may be held at any place within the local limits of its jurisdiction.

Suspension and removal.

32. (1) Any District Judge or Subordinate Judge may be suspended or removed from office by the Local Government.

(2) Any Munsif may, subject to the control of the Local Government, be suspended or removed from office by the Chief Court.

Control of Courts.

33. Subject to the general superintendence and control of the Chief Court, the District Judge shall have control over all the Civil Courts under this Act within the local limits of his jurisdiction.

Power to distribute business.

34. Notwithstanding anything contained in the Code of Civil Procedure, every District Judge may by written order direct that any civil business cognizable by his Court and the Courts under his control shall be distributed among such Courts in such manner as he thinks fit :

Provided that no direction issued under this section shall empower any Court to exercise any powers or deal with any business beyond the limits of its proper jurisdiction.

Ministerial officers of subordinate courts.

35. (1) The ministerial officers of the District Courts and Courts of Small Causes shall be appointed, and may be suspended or removed by the Judges of those Courts, respectively. *Cf.* sec. 36, idem.

(2) The ministerial officers of all Courts controlled by a District Court, other than Courts of Small Causes, shall be appointed, and may be suspended or removed by the District Court.

(3) Every appointment under this section shall be subject to such rules as the Local Government prescribes in this behalf, and, in dealing with any matter under this section, a Judge of a Court of Small Causes shall act subject to the control of the District Court.

(4) Any order passed by a District Judge under this section shall be subject to the control of the Chief Court.

Power to fine ministerial officers.

36. (1) A District Court or any Court under the control of a District Court may fine, in an amount not exceeding one month's salary, any ministerial officer of the Court for misconduct or neglect in the performance of his duties. *Cf.* section 37, idem.

(2) The District Court may, on appeal or otherwise, reverse or modify an order made under sub-section (1) by any Court under its control, and may of its own motion fine up to the amount of one month's salary any ministerial officer of any Court under its control.

Delegation of District Judge's powers.

37. A District Court may, with the previous sanction of the Local Government, delegate to any Subordinate Judge in the district the powers conferred on a District Court by sections 33, 34 and 35 of this Act, and section 24 of the Code of Civil Procedure, to be exercised by the Subordinate Judge in any specified portion of the district, subject to the control of the District Court. *Cf.* section 38, Punjab Act. India Act V of 1908.

CHAPTER IV.

APPELLATE AND REVISIONAL JURISDICTION IN CIVIL CASES.

Appeals from District Judge or Additional Judges.

38. (1) Save as otherwise provided by any enactment for the time being in force, an appeal from a decree or order of a District Judge or Additional Judge exercising original jurisdiction shall lie to the Chief Court. *Cf.* section 39 (b), Punjab Act, and section 20, Bengal Act.

(2) An appeal shall not lie to the Chief Court from a decree or order of an Additional Judge in any case in which, if the decree or order had been made by the District Judge, an appeal would not lie to that Court.

[Cf. s]ection 21, [Beng]al Act, section [21] (b) and (c), [P]unjab Act.

39. (1) Save as aforesaid, an appeal from a decree or order of a Subordinate Judge shall lie—

Appeals from Subordinate Judges and Munsifs.

(a) to the District Judge where the value of the original suit in which, or in any proceeding arising out of which, the decree or order was made did not exceed five thousand rupees ; and

(b) to the Chief Court in any other case.

Idem.

(2) Save as aforesaid, an appeal from a decree or order of a Munsif shall lie to the District Judge.

Idem.

(3) Where the function of receiving any appeals which lie to the District Judge under sub-section (1) or sub-section (2) has been assigned to an Additional Judge, the appeals may be preferred to the Additional Judge.

Cf. section 39, Punjab Act.

(4) The Chief Court may, with the previous sanction of the Local Government, by notification in the local official Gazette, direct that appeals lying to the District Court under sub-section (2) from all or any of the decrees passed in an original suit by any Munsif shall be preferred to such Subordinate Judge as may be mentioned in the notification, and the appeals shall thereupon be preferred accordingly, and the Court of such Subordinate Judge shall be deemed to be a District Court for the purposes of all appeals so preferred.

Cf. section 22, Bengal Act, and section 42, Punjab Act.

40. (1) A District Judge may transfer to any Subordinate Judge under his administrative control any appeals pending before him from the decrees or orders of Munsifs.

Power to transfer to Subordinate Judge's appeals from Munsifs.

(2) The District Judge may withdraw any appeal so transferred, and either hear and dispose of it himself or transfer it to a Court under his administrative control competent to dispose of it.

(3) Appeals transferred under this section shall be disposed of subject to the rules applicable to like appeals when disposed of by the District Judge.

(4) The powers conferred by this section shall be exercised subject to such general or special orders as may from time to time be issued in this behalf by the Chief Court.

Cf. section 24 (1), proviso, Bengal Act.

41. An appeal from an order of a Munsif in any proceedings transferred under section 30 shall lie to the District Judge.

Appeal from order of Munsifs in proceedings transferred under section 30.

42. (1) An appeal shall lie to the Chief Court from every decree passed in appeal by any Court subordinate to the Chief Court on any of the following grounds, namely :—

Second appeal.

Cf. section 40, Punjab Act.

(a) the decision being contrary to law or to some custom or usage having the force of law ;

(b) the decision having failed to determine some material issue of law or custom or usage having the force of law ;

(c) a substantial error or defect in the procedure provided by the Code of Civil Procedure, 1908, or by any other law for the time being in force which may possibly have produced error or defect in the decision of the case upon the merits.

India Act V of 1908.

(2) An appeal may lie under this section from an appellate decree passed *ex parte*.

(3) Notwithstanding anything in sub-section (1) of this section, no appeal shall lie to the Chief Court from a decree passed in appeal by any Court subordinate to the Chief Court regarding the validity or the existence of any custom or usage unless the Judge of the Lower Appellate Court has certified that the custom or usage is of sufficient importance, and that the evidence regarding it is so conflicting or uncertain that there is such substantial doubt regarding its validity or existence as to justify such appeal :

Provided that an application under sub-section (3) of the section shall not be received after the expiration of thirty days from the date on which the decree of the Lower Appellate Court was passed, unless the applicant satisfies the Judge that he had sufficient cause for not presenting it within that period :

Provided also that in computing the period for an appeal under sub-section (1) of this section the time during which the application under this sub-section has been pending shall be excluded.

43. (1) No second appeal shall lie except on the grounds mentioned in section 42.

Second appeal on no other grounds.

(2) No second appeal shall lie in any suit of the nature cognizable by Courts of Small Causes when the amount or value of the subject-matter of the original suit does not exceed five hundred rupees.

No second appeal in certain suits.

Cf. section 41, Punjab Act.

44. In any second appeal the Chief Court may, if the evidence on the record is sufficient, determine any issue of fact necessary for the disposal of the appeal, but not determined by the Lower Appellate Court.

Power of Chief Court to determine issue of fact.

Cf. section 44, idem.

45. The Chief Court may call for the record of any case which has been decided by any Court subordinate to it and in which no appeal lies thereto, and if such subordinate Court appears—

Revision.

(*a*) to have exercised a jurisdiction not vested in it by law; or

(*b*) to have failed to exercise a jurisdiction so vested; or

(*c*) to have acted in the exercise of its jurisdiction illegally or with material irregularity;

the Chief Court may make such order in the case as it thinks fit.

CHAPTER V.

SUPPLEMENTAL PROVISIONS.

46. Except as otherwise provided by this Act, the Local Government may, when it is empowered by this Act to make any appointment or confer any powers, appoint or confer the powers on any person specially by name or by virtue of his office.

Mode of appointment and conferring powers.

47. Whenever any person holding an office in the service of Government who has been invested with any powers under this Act throughout any local area is transferred or posted at any subsequent time to an equal or higher office of the same nature within a like local area, he shall, unless the Local Government otherwise directs or has otherwise directed, exercise the same powers in the local area to which he is so transferred or posted.

Continuance of powers of officers.

48. (*1*) Subject to the approval of the Local Government, the Chief Court shall prepare a list of days to be observed in each year as holidays in the Chief Court and Civil Courts subordinate thereto.

Vacations. — *Cf.* section ..., idem.

(2) Every such list shall be published in the official Gazette.

49. Subject to the provisions of any enactment for the time being in force, the Chief Court may of its own motion, or on the application of a party, withdraw any proceeding which is pending in any Court subordinate to it, and for the withdrawal of which provision is not made in sections 24 and 141 of the Code of Civil Procedure or in section 526 of the Code of Criminal Procedure, 1898, and may either itself dispose of the proceeding or transfer it for disposal to any other subordinate Court.

Transfer of proceedings. — *Cf.* section 76, idem. — India Act V of 1908. — India Act V of 1898.

50. (*a*) In section 117 (*2*) of the Punjab Land Revenue Act, 1887, in clause (*c*) "Subordinate Judge" shall be substituted for "District Judge," and in clauses (*d*) and (*e*) "District Court" shall be substituted for "Divisional Court."

Amendment of the Punjab Land Revenue Act and Tenancy Act. — India Act XVII of 1887.

(*b*) In section 99 (*1*) of the Punjab Tenancy Act, 1887, "District Judge" shall be substituted for "Divisional Judge."

India Act XVI of 1887.

51. For the definition of "District Judge" in section 2 (*15*) of the Punjab General Clauses Act, 1898, the following shall be substituted:—

Amendment of definition of District Judge in Punjab General Clauses Act, 1898. — Punjab Act I of 1898.

"District Judge" shall mean the Judge of a principal Civil Court of original jurisdiction, but shall not include the Chief Court in the exercise of its ordinary or extraordinary original civil jurisdiction."

THE SCHEDULE.

(*See section* 2.)

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
		Acts of the Governor-General in Council.	
1884 ...	XVIII ...	The Punjab Courts Act	The whole.
1888 ...	XIII ...	The Punjab Courts Act	The whole.
1895 ...	XIX ...	Ditto	The whole.
1899 ...	XXV ...	Ditto	The whole.
		Acts of the Lieutenant-Governor of the Punjab in Council.	
1909 ...	I ...	Punjab Courts Amendment Act	The whole.
1912 ...	I ...	Ditto ditto	The whole.
1912 ...	IV ...	Ditto ditto	The whole.

S. W. GRACEY,
Secretary, Legislative Council.

C. A. BARRON,
Member

STATEMENT OF OBJECTS AND REASONS.

THE main object of the present Bill is to effect changes in the Punjab Courts Act rendered necessary by the proposal to introduce District and Sessions Judges in lieu of Divisional and Sessions Judges and District Judges, but the opportunity has also been taken to re-number and re-arrange the sections of the present Act and to introduce a few minor amendments.

Under the present Punjab Courts Act there are the following Courts, excluding the Chief Court:—The Divisional Court, the District Court, the Subordinate Judge's Court and the Munsif's Court. It is proposed that in future there shall be the Court of the District Judge, the Court of the Additional Judge, the Court of the Subordinate Judge and the Court of the Munsif. The Court of the Divisional Judge will be abolished and the Court of the District Judge will become the highest Civil Court after the Chief Court. Ordinarily there will be a District Judge for each district, but the Local Government may, where necessary, appoint the same person to be District Judge for two or more districts. Under the new scheme the District Judge will, in addition to discharging the duties now performed by the Divisional Judge under the Indian Divorce Act, the Legal Practitioners' Act and the Land Acquisition Act and as an Appellate Court, continue to exercise many of the functions of the present District Judge. He will be the principal Civil Court of the District and will have full power to try original civil suits. He will also continue to be the District Court for the purposes of the Guardian and Wards Act, the Insolvency Act, the Succession Certificate Act and other Acts in which duties are assigned to the District Court. He will, however, have certain powers of delegation.

The Local Government is given power to appoint Additional Judges to assist the District Judge and possessing the like powers. The Local Government may appoint Subordinate Judges who may exercise unlimited jurisdiction in original civil suits and to whom appeals from decrees or orders of Munsifs may be transferred by the District Judge. The Subordinate Judge may in certain cases be authorised to take cognizance of proceedings under the Indian Succession Act, the Probate Act and the Guardian and Wards Act.

The minor alterations are few. In clause 4 the word "three" has been changed to "five," as there is no likelihood of the number of the Judges falling below five. In clause 5 (2) the Governor-General in Council is given power to make any general or special directions in regard to the rank and precedence of the Judge. Section 43 of the present Act in regard to limitation for appeals has been omitted as with the abolition of the Divisional Court it becomes unnecessary.

Certain necessary changes have also been made in the Punjab Land Revenue Act and Punjab Tenancy Act by clause 50, and in section 2 (*15*) of the Punjab General Clauses Act.

S. W. GRACEY, *Secretary, Legislative Council.*

C. A. BARRON, *Member.*

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

THE following Report of the Select Committee on the Bill to extend the Law relating to Fisheries in the Punjab was presented to the Council of the Lieutenant-Governor of the Punjab for the purpose of making Laws and Regulations on the 20th December 1913 :—

Report of the Select Committee on the Bill to extend the Law relating to Fisheries in the Punjab.

WE, the undersigned members of the Select Committee, do hereby submit our Report on the Bill to extend the Law relating to Fisheries in the Punjab.

1. We have amended clause 3 (1) so as to make it clear that the rules must specify the waters to which they are to apply. This will give the public an opportunity of criticising them before they are made.

2 We have recast clauses 3 (3) (*b*) and (*c*) and removed from here the provisions relating to the offering or exposure of fish for sale, and to prescribed or specified areas, because the rules under this clause can only be applied to waters. These provisions have been embodied in a separate clause 4 to which the above restriction does not apply.

3. We have included "barter" as well as "sale" in clause 4 because it was represented to us that fish are not infrequently bartered.

4. We have removed the previous sub-clause (*a*) of clause 3 (4) and recast it in a new clause 5, so as to make the penalty applicable to the breach of a prohibition notified under clause 4.

5. We have inserted a new clause 6 on the lines of section 7 of the Indian Fisheries Act, 1897, as it appears necessary to provide for the arrest of unknown persons who are seen committing a breach of any rule or prohibition under the Bill. We understand that when the Bill was originally drafted it was intended to incorporate it in the Indian Fisheries Act so that section 7 of that Act would have applied, and that when the Bill was subsequently framed as a separate measure, the necessity for making separate provision for arrest was overlooked.

6. A revised copy of the Bill, as amended by us, is appended to this Report. The amendments are shown in italics.

7. The Bill was published in the *Punjab Gazette* of the 19th September 1913, and has not in our opinion been so altered as to require republication.

LAHORE :
The 5th December 1913.

R. A. MANT.
P. J. FAGAN.
SOHAN LAL.
YUSAF SHAH.
S. W. GRACEY.

Annexure to the Report of Select Committee.

(*As amended by the Select Committee.*)

BILL No. 2 OF 1913.

A

BILL

TO

Extend the Law relating to Fisheries in the Punjab.

WHEREAS it is expedient to extend the Law relating to Fisheries in the Punjab ;

It is hereby enacted as follows :—

Title.

1. (*1*) This Act may be called The Punjab Fisheries Act, 19 .

Extent.

(*2*) It extends to the whole of the Punjab.

Meaning of terms.

2. In this Act and the Rules thereunder unless there is something repugnant in the subject or context, the expressions "fish" and "private water" shall have the meanings assigned to them in section 3 of the Indian Fisheries Act, 1897.

India Act IV of 1897.

Prohibition and licensing of fishing in selected waters by rules of Local Government.

3. (*1*) The Local Government may make rules for the purposes hereinafter in this section mentioned, and *shall in such rules declare the* waters, not being private waters, *to which all or any of them shall apply.*

(*2*) The Local Government may by notification apply such rules or any of them to any private water with the consent in writing of the owner thereof and of all persons having for the time being any exclusive right of fishery therein.

(*3*) Such rules may—

(*a*) prohibit fishing except under license and may regulate the granting of such licenses, the fees payable therefor, and the conditions to be inserted therein ;

(*b*) prescribe seasons in which *the killing of any fish of any prescribed species shall be prohibited ; and*

(*c*) prescribe a minimum size or weight below which no fish of any *prescribed* species shall be killed.

(*4*) In making any rule under this section the Local Government may *provide for*—

(*a*) the seizure, forfeiture and removal of any apparatus erected or used for fishing in contravention of the rule, and

(*b*) the forfeiture of any fish taken by means of any such apparatus.

(*5*) The power to make rules under this section is subject to the condition that they shall be made after previous publication.

Power to prohibit sale of fish.

4. *The Local Government may by notification prohibit in any specified areas the offering or exposing for sale or barter of any fish the killing of which is prohibited by any rule made under section* 3 (3) (*b*) *and* (*c*) *of this Act.*

Penalty.

5 *The breach of any rule made under section* 3 *or of any prohibition notified under section* 4 *shall be* punishable with fine which may extend to one hundred rupees, and when the breach is a continuing breach, with a further fine which may extend to ten rupees for every day after the date of the first conviction during which the breach is proved to have been persisted in : and

Arrest without warrant for offences under the Act.

6. (*1*) *Any police officer, or other person specially empowered by the Local Government in this behalf, may without a warrant arrest any person committing in his view a breach of any rule made under section* 3 *or of any prohibiton notified under section* 4—

(*a*) *if the name and address of the person are unknown to him, and*

(*b*) *if the person declines to give his name and address, or if there is reason to doubt the accuracy of the name and address if given.*

(*2*) *A person arrested under this section may be detained until his name and address have been correctly ascertained.*

Provided that no person so arrested shall be detained longer than may be necessary for bringing him before a Magistrate, except under the order of a Magistrate for his detention.

Saving of powers under Indian Fisheries Act.

7. Nothing in this Act shall be deemed to limit the powers of the Local Government to make rules under section 6 of the Indian Fisheries Act, 1897.

India Act IV of 1897.

S. W. GRACEY,

Secretary, Legislative Council.

Proceedings of the Council of the Lieutenant-Governor of the Punjab assembled for the purpose of making Laws and Regulations.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab, assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 to 1909.

THE Council met at the Council Chamber, Government House, Lahore, at 10-30 A.M. on Saturday, the 20th December 1913.

PRESENT:

His Honour Sir MICHAEL FRANCIS O'DWYER, K.C.S.I., I.C.S., Lieutenant-Governor, *Presiding.*

The Hon'ble Sardar SUNDAR SINGH, MAJITHIA, Sardar Bahadur.

The Hon'ble Mr. JOHN CORNWALLIS GODLEY.

The Hon'ble Sardar DALJIT SINGH of Jullundur.

The Hon'ble Mr. CLAUD ALEXANDER BARRON, C.I.E., I.C.S.

The Hon'ble Mr. ALEXANDER HENDERSON DIACK, C.V.O., I.C.S.

The Hon'ble Mr. HERBERT JOHN MAYNARD, I.C.S.

The Hon'ble Sardar GAJJAN SINGH.

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL.

The Hon'ble Khan Bahadur Khwaja YUSAF SHAH.

The Hon'ble Rai Bahadur RAM SARAN DAS.

The Hon'ble COLONEL ROBERT SMEITON MACLAGAN, C.B., C.S.I.

The Hon'ble Rai Bahadur HARI CHAND.

The Hon'ble Mr. JAMES CURRIE.

The Hon'ble Lala KASHI RAM.

The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI.

The Hon'ble Mr. PATRICK JAMES FAGAN, I.C.S.

The Hon'ble Nawab IBRAHIM ALI KHAN of Kunjpura.

The Hon'ble Rai Bahadur SHADI LAL.

The Hon'ble Sir Arthur MILFORD KER, K.C.I.E., M.V.O.

The Hon'ble Mr. JOHN PERRONET THOMPSON, I.C.S.

The Hon'ble Malik MUHAMMAD AMIN KHAN of Shamsabad.

The Hon'ble Mr. REGINALD ARTHUR MANT, I.C.S.

The Hon'ble Mr. STEPHEN WILLIAM GRACEY, I.C.S.

OATH OF OFFICE.

The Hon'ble Colonel MACLAGAN and the Hon'ble Mr. MAYNARD took the oath of allegiance, as required by Regulation VII.

[*Lala Hari Chand; Mr. Barron.*]

QUESTIONS AND ANSWERS.

Importance of Sargodha and its conversion into district head-quarters.

The Hon'ble Rai Bahadur Hari Chand asked :—

" (*a*) Is the Government aware that the town of Sargodha has within recent years risen considerably in population, trade and industry ?

" (*b*) Will the Government be pleased to state whether, in view of its increasing importance, there is any intention to convert the sub-division of Sargodha into a district head-quarter ? "

The Hon'ble Mr. Barron replied :—

" The Lieutenant-Governor paid a visit last month to Sargodha and observed the flourishing condition of the head-quarters of the Lower Jhelum Canal Colony. He was also glad to find that the town had no longer the reputation for unhealthiness which it had acquired in earlier years. In 1909 it was decided to transfer the district head-quarters to Sargodha, but the transfer was held up owing to want of funds and other causes. The proposal was recently revived, and as a result of a consultation with the Commissioner and Deputy Commissioner and after hearing the views of the residents of Sargodha and Shahpur and of the leading inhabitants of the district, the Lieutenant-Governor has passed orders transferring the district head-quarters from Shahpur to Sargodha. Shahpur will remain the head-quarters of a sub-division. It is hoped that the necessary building operations will be so far advanced by the 1st April next as to permit of the change being brought into effect from that date."

Kángra Temple and its restoration.

The Hon'ble Rai Bahadur Hari Chand asked :—

" (*a*) Is the Government aware that the Kángra Temple, which was destroyed by the earthquake in April 1905, is one of the most ancient Hindu shrines in the country and as such possesses great historical interest ?

" (*b*) In view of antiquity of the temple, will Government put itself in communication with Archæological Department with a view to some further assistance to the Temple Restoration Committee ? "

The Hon'ble Mr. Barron replied :—

" (*a*) Government is aware that the ruined temple of Devi at Kángra was among the most ancient, as it was once one of the most renowned shrines in Northern India. It was unfortunately totally destroyed in the earthquake of April 1905.

" (*b*) In 1908 the question of assisting a private committee, which had been formed in Lahore for the restoration of the temple, was considered. But it was ascertained that, owing to the evil reputation of the Bhojkis or *pujaris* of the temple, the committee had been unable to induce the Hindu community to subscribe towards the restoration fund to any appreciable extent, and the *pujaris* themselves refused to admit that the committee had any power or authority in the matter. Until this dispute was settled, and until there was some guarantee that the Hindu public intended to subscribe liberally for the restoration of the temple, and also that the funds so subscribed would be placed in proper hands and not misapplied, it was impossible to consider the question further. Government, however, in 1911 gave the restoration committee permission to take free of charge loose stones from the Kángra Fort not required by the Public Works Department for use in the reconstruction of the temple.

" If the unsatisfactory state of affairs disclosed in 1908 has been remedied, the facts should be brought to the notice of the Deputy Commissioner who will consider whether any further action on the part of Government is now desirable."

[*Lala Hari Chand; Mr. Diack.*]

The Hon'ble Rai Bahadur Hari Chand asked :—

Agricultural cattle, their preservation and breeding.

"(*a*) Is it a fact that the number and quality of agricultural cattle in the Province has of late been deteriorating?

"(*b*) In view of the great importance of cattle to the public, will the Government be pleased to state what steps it has been taking and also proposes to take for their preservation and breeding?"

The Hon'ble Mr. Diack replied :—

"(*a*) The available figures do not indicate that there has been a decrease in the number of agricultural cattle in the Province during recent years. On the contrary, they show that cattle are now more numerous under all heads than they were 15 years ago in spite of the occurrence of several bad seasons between 1896 and 1906. In the case of draught animals the increase, though substantial, is not very great. The demand for draught cattle has largely increased during the last 20 years owing to the spread of cultivation. This increased demand has been met, but only by employing every available class of animal, as is indicated by the increasing use of the male-buffalo. Agriculture is so profitable that the zamindar of the more highly cultivated districts prefers paying much enhanced prices for imported bullocks to keeping up grazing grounds and breeding his own stock The average efficiency of plough cattle is probably not less than in past years. One marked feature in the returns of recent years is the substitution of the she-buffalo for the cow, and the reasons given for this are :—

(1) The she-buffalo requires no grazing and is easily stall-fed.

(2) She gives more milk and of richer quality.

(3) She can be worked even when in milk.

"(*b*) The Civil Veterinary Department is the channel through which the direct action of Government makes itself felt in regard to the matters with which the second part of the question deals. Its establishment is fully occupied with the prevention and cure of cattle disease and also renders valuable assistance in the matter of cattle-breeding It is expanded from time to time as funds permit and necessity arises A cattle farm is maintained by Government at Hissar from which good bulls are yearly supplied in increasing numbers to District Boards. It is on the initiative and executive action of these bodies that the maintenance and improvement of the agricultural cattle of the Province mainly depend. They are advised on technical points by the officers of the Civil Veterinary Department. The chief directions which their action takes are the provision gratis of good bulls for breeding purposes and the organization and maintenance of cattle fairs. During the year 1911-12 a sum of over five lakhs of rupees was spent on veterinary objects in the Province, of which Rs 2,80,000 was from local and the balance from Imperial and Provincial funds. The subordinate veterinary establishment has been nearly doubled within the last six years. While fully realizing its responsibilities in connection with the agricultural cattle of the Province, Government recognizes that accelerated progress depends very largely, if indeed not mainly, on private effort and enterprise in the promotion of cattle-breeding and in the provision of good bulls and the elimination of those which are inferior or unsuitable. It is hoped that in the future Co-operative Credit Societies will effect much in these directions."

[*Lala Hari Chand ; Mr. Thompson.*]

Begar.

The Hon'ble Rai Bahadur Hari Chand asked :—

"Has the attention of Government been drawn to the judgment of Mr. Justice Agnew in a *begar* case from Kangra published in the *Tribune* of 27th August last ?

"In view of the circumstances revealed in the judgment, will Government take suitable steps, by issuing circulars and otherwise, for the removal of the evil complained of ?"

The Hon'ble Mr. Thompson replied :—

"The attention of Government has been drawn to the judgment in question.

"There is nothing in the judgment to show that the case was one of *begar* at all. It is of the essence of *begar* that the labour or service should be exacted without remuneration. No such intention was manifested in the present case, so far as the judgment shows. The ancient indigenous system of *begar* in Kangra was abolished by order of the British Government in 1881 and has never been revived.

"As the judgment reveals no state of *begar* even in Kangra, the request for a circular or other measures to exterminate it throughout the Province seems premature."

Conduct of Sub-Inspector in Shujabad murder case.

The Hon'ble Rai Bahadur Hari Chand asked :—

"(*a*) Has the attention of Government been drawn to the articles headed "the Shujabad murder case" in the *Panjabee* newspaper dated May 29th and 31st and June 7th, 1913 ?

"(*b*) Is it a fact that Lala Arjan Das, Extra Assistant Commissioner, Mr. Forbes, I.C.S., and Mr. Berkeley, Superintendent of Police, strongly criticised the conduct of Fateh Muhammad, Sub-Inspector of Police, in investigating the case ? Will Government be pleased to state what notice, if any, has been taken of the conduct of the Sub-Inspector ?"

The Hon'ble Mr. Thompson replied :—

"The answers to (*a*) and the first part of (*b*) are in the affirmative.

"A departmental enquiry was held into the conduct of Sub-Inspector Fateh Muhammad, and as a result he was censured and transferred."

Water-works, Siálkot City.

The Hon'ble Rai Bahadur Hari Chand asked :—

"(*a*) Is it a fact that the water-works of Siálkot City, which were sanctioned some time ago, have not yet been taken in hand ?

"(*b*) In view of the severe outbreak of cholera in Siálkot City, will Government kindly take steps for expediting the work ?"

The Hon'ble Mr. Thompson replied :—

"(*a*) & (*b*). The estimate for the water-works at Siálkot was finally sanctioned in August last and works started on the 12th November 1913. It is hoped that the water-works will be ready by the end of next year.

Prevention of cholera.

The Hon'ble Rai Bahadur Hari Chand asked :—

"Is Government aware that cholera has been raging in several cities of the Province ? Will Government be pleased to inform the Council what special measures it has been taking for the prevention thereof ?"

[*Mr. Thompson; Mr. Hari Chand; Mr. Maynard.*]

The Hon'ble Mr. Thompson replied :—

"It is unfortunately a fact that several towns and rural districts in the Punjab have suffered from cholera considerably this year, but it is an exaggeration to say that the disease has been raging in several cities of the Province. The description is applicable only to the outbreak at Siálkot where the death rate from the epidemic has been 1 in 70, though Gujrát and Chúnián have also suffered severely.

"As soon as information is received of the outbreak of cholera, medical aid is sent to the spot. Every effort is made to control the disease, by disinfecting wells, houses, &c., by improving the sanitary conditions of the locality, and by issuing warning notices and instructions.

"We cannot hope to exercise a really effective control over cholera in towns until the inhabitants in general and the members of Municipal Committees in particular display more interest in proper conservancy and scavenging and co-operate more actively with the sanitary authorities in preventive and remedial measures.

"The difficulty of the task is well illustrated by the report on the outbreak at Siálkot which was published in a recent number of the Gazette. I commend that report and the Government resolution that was published with it to the attention of the Hon'ble Member."

The Hon'ble Rai Bahadur Hari Chand asked :—

Liquor on marriage and other festivities.

"(*a*) Is it a fact that on occasions of marriage and other festivities permission is freely given to persons to keep liquor in excess of the license limit?

"(*b*) In view of the appalling growth of drunkenness in the Province, will Government be pleased to consider the advisability of a revision of the rules in this respect?"

The Hon'ble Mr. Maynard replied :—

"(*a*) The Hon'ble Member doubtless refers to paragraph II of Punjab Government notification No. 566, dated 16th March 1909, which is as follows :—

'II. If more than the quantity of country spirit which he may ordinarily possess is required by any person for use on any special occasion, such as a marriage festival, caste gathering, the special entertainment of guests, or the like, on application by such person, and on being satisfied that the occasion is a legitimate one and the amount of spirit required for it is not excessive, any Revenue Officer not below the rank of Naib Tahsildar or any Excise Officer not below the rank of Sub-Inspector or Naib Darogha, may grant to such person a pass to possess such quantity of such spirit as may be entered in the pass not exceeding 10 imperial gallons. In exceptional cases the Collector may by special order issue a pass or direct one to be issued authorising the possession of any quantity of spirit which he considers reasonable in excess of 10 imperial gallons.'

"In the absence of statistics as to the number of passes annually issued in pursuance of this rule it is impossible to say whether permission is 'freely' given, but Government has no reason to believe that Excise officials disregard the rules enjoining care and discrimination in the issue of such passes. These rules are as follows :—

'Every Excise Inspector and Sub-Inspector and every Tahsildar shall maintain a register in which he shall enter at once, on issue by himself or on receipt of intimation of issue by another officer or by a licensee, particulars regarding all permits granted and all special issues

[*Mr. Maynard ; Mr. Hari Chand ; Mr. Thompson ; Mr. Diack.*]

made under the preceeding clause, and every such officer shall be responsible for satisfying himself that the issue of spirit under special permits is not abused and shall without inquisitorial enquiries generally take measures to ascertain whether the spirit has actually been disposed of in a legitimate manner.

'Any person who is guilty of obtaining a permit or a special issue of spirit under these rules by false pretences shall be liable to punishment.

'If a licensee misuses the power to make special issues of spirit conferred on him under these rules the Collector may cancel his license without compensation.'

"(*b*) Government does not accept the statement that there has been an 'appalling' increase of drunkenness in the Province, though in spite of the steady enhancement in the price of liquor, the consumption of liquor is on the increase.

"It is not proposed to undertake any revision of these rules in the absence of any proof that their operation has been attended by undesirable results. It may be mentioned that the Excise Committee of 1906 strongly advocated the ready grant of permits for possession of quantities of country spirit in excess of the general limit of possession in order to meet the legitimate requirements of special occasions. The Committee considered that unless such provision were made it would be impossible to make any advance in the direction of curtailing the general limit of possession. If as is apparently suggested by the Hon'ble Member the quantity of licit liquor which the host would be permitted to supply to his guests at a wedding feast were limited to one seer, illicit methods of increasing the amount would probably be adopted.

Kahror *begar* case.

The Hon'ble Rai Bahadur Hari Chand asked :—

"Has the attention of the Government been directed to the passage in the judgment of Mr. Kitchin, Deputy Commissioner, Multan, in what is known as the Kahror *begar* case, in which he states that the practice of using police subordinates for the purpose of arranging shoots and beaters may lead to abuses? If so, will Government be pleased to issue instructions to prevent possible occurrence of such abuse?"

The Hon'ble Mr. Thompson replied :—

"The Lieutenant-Governor has read the judgment of the District Magistrate, Multán, in which the passage referred to occurs.

"In the case in question the employment of the Police undoubtedly led to abuse. As the result of an enquiry based upon the judgment in question, the Sub-Inspector of Police has been dismissed and the Deputy Superintendent reduced to the grade of Inspector. His Honour does not believe that abuses of this kind are common, but he has decided to issue instructions that in future subordinate police should not be used to collect beaters directly."

Travelling allowance of Tahsildars and Naib Tahsildars.

The Hon'ble Rai Bahadur Hari Chand asked :—

"Is it a fact that the travelling allowance and the halting allowances of Naib Tahsildars and Tahsildars are the same? If so, will Government be pleased, in view of the fact that Tahsildars and Munsifs are for purposes of pay and prospects on an equal level, to raise the travelling allowance drawn by the Tahsildars to the scale allowed to Munsifs?"

The Hon'ble Mr. Diack replied :—

"The answer to the first part of the question is in the affirmative.

[*Mr. Diack ; Mr. Hari Chand ; Mr. Thompson : Mr. Barron.*]

"The answer to the second part is that while the pay and prospects of Tahsildars and Munsifs are generally speaking on an equal level, there is this distinction between them, that the duties of a Tahsildar necessitate much touring and those of a Munsif little or none. The pay of the Tahsildar was framed originally so as to cover the cost of journeys on tour, and as was stated by the Hon'ble Mr. Fenton in reply to a similar question at the last meeting of this Council, the existing rate of travelling allowance of Re. 1 *per diem* was conceded by the Government of India as a special case, and was supplemented by the provision of tents and their carriage at the expense of Government. Government has no reason to think that Tahsildars are really worse off than Munsifs who, though allowed Rs. 3 a day when on tour, are not provided with tents and rarely have occasion to leave their head-quarters."

The Hon'ble Rai Bahadur Hari Chand asked :—

Standard of proof in criminal cases.

"Will Government be pleased to state whether any communication has passed between the Chief Court and the Government on the subject of standard of proof in criminal cases in the Province ? If so, will Government be pleased to state whether the Chief Court endorses the view of the Government as expressed in the Criminal Justice Report, *viz.*, that the standard of proof insisted upon in criminal cases is too high ?"

The Hon'ble Mr. Thompson replied :—

"The answer to the first question is in the negative. That being so, the second does not arise, but it may be explained that the view of Government expressed in the Review of the Criminal Justice Report was that the courts in some cases appeared to demand a higher standard of proof than is required by the definition of the term 'proved' in section 3 of the Evidence Act."

The Hon'ble Rai Bahadur Hari Chand asked :—

System of constituting sub-divisions ; conversion of Kasauli into a sub-division.

"Will Government be pleased to state whether the practice of constituting sub-divisions in a district for civil and administrative purposes has worked well ? Is it in contemplation to make the hill station of Kasauli (in Ambala) a sub-division, just as has been done in the case of Murree and Dalhousie ?"

The Hon'ble Mr. Barron replied :—

"Government has every reason to be satisfied with the system of constituting sub-divisions under the charge of an Assistant Commissioner or Extra Assistant Commissioner in large districts where it is for administrative reasons advisable to have an officer wtih 1st class magisterial powers to assist the Deputy Commissioner to control remote localities or to administer large hill stations. It is not at present contemplated to constitute Kasauli, where there is only a Cantonment and no Municipality, into a sub-division of the nature of the old established sub-divisions of Murree and Dalhousie."

The Hon'ble Rai Bahadur Hari Chand asked :—

Inconvenience to Multan passengers by the Karáchi Mail.

"With regard to the new arrangement involved in making the Up and Down Karáchi. Mail run *via* Khánewal-Lodhrán Chord, is Government aware—

(*i*) of the inconvenience caused to passengers in changing for Multán train at Khánewal and Lodhrán ?

(*ii*) of the delay in delivery of mails in Multán which are now delivered after 6 P.M. in the evening ?

(*iii*) will Government be pleased to move the Raiway authorities to remove the aforesaid inconveniences ?"

[*Mr. Barron ; Mian Muhammad Shafi ; Mr. Thompson.*]

The Hon'ble Mr. Barron replied :—

"Government is aware of the slight inconveniences to which the Hon'ble Member has drawn attention. They were in fact alluded to in the answer given to the question put on this subject at the meeting of this Council on the 19th September. The Lieutenant-Governor is afraid that in the interests of a quick and convenient mail service between Lahore and Karáchi these inconveniences to residents of Multán are unavoidable, but has no doubt that the Railway ar Postal authorities will take all possible steps to reduce them to a minimum."

The Hon'ble Khan Bahadur Mian Muhammed Shafi asked :—

"Has the Punjab Government received either a copy of the representation submitted to the Government of India by the European Defence Association against the appointment, as Civil Surgeons, of medical men not belonging to the Indian Medical Service upon certain grounds, or any communication from the Government of India in connection therewith ?"

The Hon'ble Mr. Thompson replied :—

"The answer is in the negative."

The Hon'ble Khan Bahadur Mian Muhammad Shafi asked :—

"Will the Government be pleased to state if there is any intention to depart from the existing practice relating to the appointment of Civil Surgeons in the Punjab ?"

The Hon'ble Mr. Thompson replied :—

"There is no present intention of departing from the existing practice in regard to the appointment of Civil Surgeons in the Punjab."

The Hon'ble Khan Bahadur Mian Muhammad Shafi :—

"With Your Honour's permission, I beg to ask a supplementary question :—

"Will the Hon'ble Member state for the information of the Council what is the exact significance of the words 'present intention' in the answer just given."

The Hon'ble Mr. Thompson :—

"My meaning is exactly what the words say. I merely mean that I do not wish my answer to bind Government for the future.'"

The Hon'ble Khan Bahadur Mian Muhammad Shafi asked :—

"1. What is the amount of the annual contribution made by the Punjab Government towards the up keep of the Walker Hospital at Simla ?

"2 Are there any private medical practitioners on the staff of that Hospital ?

"3 Is it a fact that persons under the treatment of private practitioners cannot, on entering the Hospital, avail themselves of the services of their own medical advisers, being obliged by the rules to put themselves under the treatment of the Hospital Staff, which consists of Government officials, upon payment of fees ?

"4. Will the Punjab Government be pleased to move the Committee of the Walker Hospital to modify the rules so as to enable persons going into the Hospital to continue to avail themselves of the services of their private medical advisers along with the advantages and facilities offered by the institution ?"

[*Mr. Thompson; Mr. Shadi Lal; Mr. Barron.*]

The Hon'ble Mr. Thompson replied :—

"1. The annual contribution paid by the Punjab Government towards the maintenance of the Walker Hospital at Simla is Rs. 2,000.

"2. There are no private practitioners on the staff of the Walker Hospital.

"3. Patients in the Walker Hospital cannot be treated by practitioners other than the Civil Surgeons of Simla and the Staff Surgeon. In thas respect the Hospital rules are similar to those in force in general hospitals in England.

"4. What the Hon'ble Member desires is that the Walker Hospital should be put on the same footing in regard to private practitioners as many of the cottage hospitals in England. The suggestion will be brought to the notice of the Hospital Committee."

The Hon'ble Rai Bahadur Shadi Lal asked :—

Legal training of members of Indian and Provincial Services.

"1. With reference to Punjab Government letter No. 911 (Home—Gazette), dated the 21st June 1913, containing rules sanctioned by the Secretary of State with a view to encouraging members of the Indian and Provincial Civil Services to undertake courses of legal study while on furlough in England, will the Government be pleased to state—

(*a*) whether it is a fact that only those officers who obtain a call to the Bar within 15 years from the date of entering the Government service are eligible for the privileges mentioned in the rules ?

(*b*) whether the minimum period required for a call to the Bar is $2\frac{1}{2}$ years, and whether a member of the Provincial Service cannot get more than one year's furlough during 15 years from the date of his entering service ?

"2. In view of the fact that the present leave rules practically debar a member of the Provincial Civil Service from availing himself of the facilities afforded by the above-mentioned rules, does the Local Government intend to recommend at an early date the amendment of the leave rules of the Provincial Civil Service so that officers whose periods of 15 years will soon expire may take advantage of the privileges granted by the rules ?

"3. Whether any bonuses can be earned by an officer of the Indian or Provincial Civil Service who obtains a first class in some of the examinations comprised in part I of the examinations of the Council of Legal Education, but does not eventually obtain a call to the Bar or does so after 15 years from the date of joining service ?

"4. Whether an advance of fees payable in connection with admission to one of the Inns of Court will be made in the case of those officers who wish to pass some or all of the examinations comprising part I, but do not propose to obtain a call to the Bar at all or within 15 years of entering service ?"

The Hon'ble Mr. Barron replied :—

"1. The answers to both parts of the Hon'ble Member's first question are in the affirmative. The limit of 15 years' service has been imposed in order that the State may obtain an adequate return for the expenditure involved in the shape of a reasonable period of service rendered after the added knowledge and experience obtained by reading for the Bar have been acquired.

"2. It has been brought to the notice of Government that at present members of the Provincial Civil Service are unable without taking leave without pay to profit by the financial inducements devised to encourage officers to

[*Mr. Shadi Lal ; Mr. Barron ; Lala Kashi Ram.*]

increase their efficiency by undertaking a course of legal study while on leave in England. The most suitable method of overcoming this difficulty is under consideration."

The Hon'ble Mr. Shadi Lal :—

" The Hon'ble Member has said that the most suitable method of overcoming the difficulty is under consideration. Can he inform the Council what is the most suitable method ? If it is under consideration, you know what the best method will be."

The Hon'ble Mr. Barron :—

" No, we do not know what the most suitable will be because it is under consideration. There are several methods, and we do not know which is the best to adopt. That is the point under consideration. "

Continuing **the Hon'ble Mr. Barron** replied :—

" 3 The rules as they at present stand do not preclude the earning of a bonus by an officer for each first class obtained in any of the four examinations comprising part I of the examinations prescribed by the Council of Legal Education, even though the officer does not proceed to part II or obtain a call to the Bar. But of course the spirit of the rules implies that an officer should complete the full course and obtain a call.

" 4. To meet the case of an officer who, after obtaining an advance of the fees payable in connection with admission to one of the Inns of Court, returns to India without completing the course or being called to the Bar, the Government of India have directed that the advance less any bonuses earned and paid shall in all cases be recovered by monthly instalments commencing immediately after the officer's return to duty in India."

Raising of Chief Court to the status of High Court.

The Hon'ble Lala Kashi Ram asked :—

" With reference to the reply given by the Hon'ble Mr. Barron to my question at the Council meeting held on the 19th September last on the subject of raising of the Chief Court to the status of a Chartered High Court, will the Government be pleased to state in what respects the constitution of the contemplated Hight Court was to be different from the existing High Courts, so as to allow the public an opportunity of discussing the subject. "

The Hon'ble Mr. Barron replied :—

" As the matter is the subject of correspondence with the Government of India, this Government is unable to make any further statement regarding it, or to place any papers dealing with the question on the table of this Council at this stage. "

Banking situation in the Punjab.

The Hon'ble Lala Kashi Ram asked :—

" (*a*) With reference to the statement appearing in the *Panjabee* dated 22nd November 1913 under the heading 'The Banking situation in the Punjab ' in the local and provincial columns to the effect that the Bank of Bengal had through their Lahore Branch provided accommodation for Punjab Banks to the extent of 50 lakhs of rupees, and with reference to the assurances given by Mr. Langley as reported in the note in the *Tribune* dated 9th November 1913 under the heading ' Indian Banks in Lahore,' will the Government be pleased to state what Banks, if any, in the Punjab have been accommodated by the Bank of Bengal and to what extent and on what securities ?

" (*b*) Will the Government be pleased to state if any Bank under Indian management applied for advances and whether its application was refused and on what grounds. Is the Government in a position to state if

[*Kashi Ram ; Mr. Mant ; Mr. Barron.*]

any Bank under Indian management has so far been helped by the Bank of Bengal ?

" (*c*) Is the Government aware of the extent of injury caused or likely to be caused to the public and to the trade and industries of the Province by the present financial crisis, and, if no help has so far been given, will the Government be pleased to consider if it will extend its helping hand to relieve the situation and in what manner ? "

The Hon'ble Mr. Mant replied : —

" Government has seen statements in the Press to the effect that the Bank of Bengal has provided accommodation to the extent of 50 lakhs of rupees to Banking institutions in the Punjab. But as the Bank of Bengal is not a Government institution, and as its transactions with its customers are not within the knowledge of Government, the information asked for in parts (*a*) and (*b*) of the Hon'ble Member's question cannot be furnished

" With regard to part (*c*), the Government is well aware that the present financial crisis is causing serious injury to the trade and industries of the Province, and the Lieutenant-Governor would do anything in his power to relieve the crisis. But it is the settled policy of Government to render financial assistance on such occasions solely through the agency of the Presidency Banks, whose operations are legally subject to certain limitations ; and all that the Government has been able to do is to intimate to the Bank of Bengal the desirability of giving financial aid towards maintaining the credit of deserving institutions. The Government has reason to believe that no loan has been, or will be, refused when suitable security of a kind on which the Bank is permitted to make advances has been, or can be, furnished."

The Hon'ble Lala Kashi Ram asked : — **Sub-Divisional system.**

" (1) With reference to the reply given by the Hon'ble Mr. Barron to my question at the Council meeting held in April 1913 on the subject of the sub-divisional system, to the effect, 'that hearing of the criminal and civil cases by Sub-Divisional Officers on tour should as a matter of fact be convenient to the parties and their witnesses, as the trial takes place near their homes,' has the attention of the Government been drawn to a series of articles published in the *Tribune* dated 8th, 14th, 18th, 23rd and 25th of May, 1st June, 9th, 10th and 23rd July 1913 on the Sub-Divisional system as it is working in the Ferozepore District. If so, will the Government be pleased to state whether the facts relating to the cases reported in those articles are correct, and if the Government still considers that the system is a source of convenience to the litigants and if as a matter of fact the trial takes place near their homes ?

(2) What is the present state of crime in the districts in which this system is being tried as compared with what it was before its introduction and if there is any connection of the increase if any with this system of administering justice."

The Hon'ble Mr. Barron replied : —

" (1) The attention of Government has been directed to the articles in question. In some of the judicial cases cited (both criminal and civil) the proceedings and especially the frequent adjournments and great delays appear to show that the Magistrates and Subordinate Judges concerned displayed a lamentable incapacity to arrange for the disposal of their work in a methodical and business-like manner. Such defects are, it is feared, not always absent even from the proceedings of subordinate courts sitting continuously at head-quarters.

[*Mr. Barron ; Gajjan Singh ; Mr. Thompson.*]

It is not always possible for touring officers to hear every case at or near the place of its occurrence. But if tours are properly arranged many more cases can be so heard and disposed of by officers on tour than if the presiding officers never move from head-quarters.

The precise method of arranging that officers shall spend a certain portion of each month in the sub-divisions under their charge is still under consideration. The delays which occurred in deciding the cases cited are not necessarily due to any inherent defect in the sub-divisional system, but point to a faulty method of working that system and Government is taking measures to eradicate those faults and reduce the risk of delay and inconvenience to litigants.

(2) Government understands that there has been an appreciable decrease, not an increase in crime in the parts of the districts in which the sub-divisional system is in force. In some quarters a tendency has been noticed to magnify petty complaints into cases only triable by 1st class magistrates, because they are readily available on tour. From this point of view it may perhaps be said that the people appreciate the system. But this is no doubt a temporary phase which will gradually pass away. The lodging of more numerous complaints of this description cannot be accepted as any evidence of an increase in real crime. On the contrary the presence of a resident magistrate undoubtedly acts as a deterrent to the commission of serious crime, and the prompt enquiry by such magistrate into crimes that have been committed gives less opportunity for the fabrication of false charges and promotes the ends of justice."

Rain gambling.

The Hon'ble Sardar Gajjan Singh asked :—

"With reference to the answers of the Hon'ble Mr. TOLLINTON to a question asked by the Hon'ble Mian MUHAMMAD SHAFI in the meeting of the Punjab Legislative Council held on 6th May 1910 in the matter of gambling—

(*a*) Is the Government aware of the fact that the opium, rain and grain gambling has considerably increased generally throughout the Province since the above question was put ?

(*b*) Considering the evil effects of this type of gambling and strong condemnation of it by the public, will the Government be pleased to state what measures, if any, have been taken or are under contemplation to suppress the said evils ?"

The Hon'ble Mr. Thompson replied :—

"Government has no information which would show that grain gambling and betting on opium sales and rainfall have increased in the Punjab during the past three years.

As stated by Mr. Tollinton in the reply to which the Hon'ble Member refers, certain enquiries had at that time been made in regard to rain and opium gambling. The reports received showed that these forms of gambling hardly existed except in Karnal District and at Ludhiana. The need for legislation to suppress them where they existed was considered, but the conclusion arrived at was that legislation for the suppression of particular forms of gambling was likely to be futile. The passion for gambling, it was felt, would contrive new methods for its gratification with the result that the evil would remain diverted into different but no less dangerous channels.

The question of grain gambling was considered separately. Fears were expressed that the Full Bench ruling of the Chief Court No. 79 of 1908 might render ineffectual the provisions of the Contract Act in regard to agreements

[*Gajjan Singh ; Mr. Thompson ; Mr. Diack.*]

by way of wager. For a time it seemed probable that it would be challenged in the Privy Council, but the appeal was abandoned. The Hon'ble Member who had put the question on May 6th, 1910, was consulted as to the remedy to be applied and advised amendment of the Contract Act. The question is still under consideration and further enquiries will be made, but the Contract Act is not Provincial Act, and proposals for its amendment must be based on convincing proof of the spread of grain gambling and of the evil effects of the Chief Court ruling."

The Hon'ble Sardar Gajjan Singh asked :—

Extra Veterinary Assistant in each tahsil.

" Considering that the preservation of cattle is of the utmost importance to the Punjab peasantry, and that one Veterinary Assistant in a tahsil cannot be of much use to those living in the villages far off from his head-quarters, will the Government be pleased to consider the desirability of attaching one extra hand to each tahsil to tour in the ilaqua and to attend cases of diseased cattle in the villages ? "

The Hon'ble Mr. Thompson replied :—

" The point raised by the Hon'ble Member has recently been under the consideration of Government. Previous to 1907. the accepted standard was one itinerating Veterinary Assistant in each tahsil and one stationary Veterinary Assistant in charge of the Veterinary Hospital at the head-quarters of each district. In 1907 there was a change of policy. It was represented that the existing system was unsatisfactory. The Veterinary Assistants were said to wander aimlessly about, except during epidemics their work was most disappointing, and they were handicapped by being unable to give the animals the continued treatment and by the impossibilty of taking about with them a sufficient stock of medicines and instruments. There was an overwhelming preponderance of official opinion in favour of a radical alteration of policy, and it was decided to substitute a system which aimed at establishing a hospital in each tahsil with a stationary Veterinary Assistant in charge. This man would not leave his hospital except to deal with outbreaks of epidemic disease, but there was to be one touring Veterinary Assistant in each district.

A proposal to provide itinerant Veterinary Assistants in each tahsil in addition to the Assistants in charge of the hospitals was recently referred to Commissioners and Deputy Commissioners for opinion. The weight of opinion was strongly against the proposal, and the Lieutenant-Governor is not satisfied on the evidence before him that it is either sound or practical as things now are. Where a 2nd Veterinary Hospital is provided in a tahsil Government will, however, be ready to provide a 2nd Veterinary Assistant.

The Hon'ble Sardar Gajjan Singh asked :—

Reservation of land as grazing grounds in the new Punjab Colonies.

" Considering the enormous rise in the price of cattle and the scarcity of ghee and milk, will the Government be pleased to consider the desirability of reserving some land in every village as grazing ground in the New Punjab Colonies just as was done in the case of the old Chenab Colony ; and of making grants on condition of cow-breeding like the grants of mare and camel breeding ? "

The Hon'ble Mr. Diack replied :—

" The only colonization scheme relating to the new Punjab Colonies which has received the sanction of higher authority is the Upper Chenab scheme On that canal the Government of India have sanctioned the proposals of the Punjab Government to reserve as grazing ground or *chiragah* 10 per cent. of the Crown waste which is to receive perennial irrigation.

[*Mr. Diack ; Gajjan Singh ; Mr. Thompson.*]

Similar reservations have been proposed on the Lower Bari Doab and Upper Jhelum Canals.

With regard to the second part of the Hon'ble Member's question, the encouragement by special means of the breeding of both Hissar and Montgomery cattle has been considered in framing proposals for the colonization of Crown lands on the Lower Bari Doab Canal, but it is not possible to enter into details till the orders of Government on the proposals are received. No similar proposals have been made for the areas irrigated by the Upper Jhelum and Upper Chenab Canals, where the amounts of Crown land are small

The desirability of making grants on cow-breeding conditions, analogous to the existing and proposed grants on horse-breeding conditions, has not been considered by Government. As the Government of India have decided that the Lower Bari Doab Colony shall be devoted to horse-breeding, there is no scope in the Punjab for a scheme of cow-breeding grants, even if such a scheme were desirable or feasible."

Loss of pilgrims lives in Sirsa River.

The Hon'ble Sirdar Gajjan Singh asked :—

" (*a*) Will the Government be pleased to inform if any enquiry was made as to how many pilgrims lost their lives in the Sirsa River on the occasion of the last Naina Devi Fair? If so, what was the result of the enquiry ?

" (*b*) Will the Government be pleased to state what measures, if any, have been adopted or are under contemplation to prevent such loss of life in future ?"

The Hon'ble Mr. Thompson replied :—

" No formal enquiry was made in regard to the number of lives lost on the occasion referred to. The total number is believed to have been about 150. It is reported by the Deputy Commissioner that the pilgrims who were carried away by the flood had been warned of the risk they were running. It is proposed in future to station a chaukidar at either end of the crossing during the monsoon months to warn travellers, and the local authorities will be instructed to take any other precaution that can usefully be adopted."

Chaukidara agency.

The Hon'ble Sardar Gajjan Singh asked :—

" 1. Will the Government be pleased to state what measures are under contemplation to improve the chaukidara agency ? "

" 2. Will the Government be pleased to state the pay of the village watchman in each district of the Punjab ? And whether the chaukidara agency is considered efficient and fit for the discharge of the duties which the various laws impose upon them "

The Hon'ble Mr. Thompson replied :—

" I propose to answer both the Hon'ble Member's questions in regard to the chaukidara agency together.

The remuneration of chaukidars is fixed by rules under the Punjab Laws Act. The ordinary rate is Rs. 3 per mensem payable in cash or grain, but with the sanction of the Commissioner the Deputy Commissioner has power to enhance the rate up to a maximum of Rs. 5 per mensem.

No very recent statistics are available to show the wages paid to chaukidars in each district of the province, but it is believed that Rs. 3 per mensem is still the most common rate though many chaukidars receive Rs. 4 and Rs. 5. The Commissioner of Rawalpindi has recently suggested to his Deputy Commissioners the advisability of raising the pay of chaukidars in their districts to

[*Mr. Thompson ; Mr. Mant.*]

at least Rs. 4 and in particular tracts to Rs. 5. This suggestion has been brought to the notice of the other Commissioners.

The last report on Police Administration in the Punjab contained some severe criticisms on the working of the chaukidara system, but it must be remembered that only ten years ago the Police Commission reported very strongly in its favour, and that a convincing case must be made out before their verdict can be reversed.

The matter is engaging the attention of Government, but it is one on which opinions differ sharply, and the particular shape that reform will assume should it be found to be necessary will depend largely on the decision arrived at by Government on the debateable points It would therefore be premature to say that any definite measures are at present in contemplation."

PUNJAB FISHERIES BILL.

THE Hon'ble Mr. MANT presented the Report of the Select Committee on the Bill to extend the law relating to Fisheries in the Punjab. He said :—

" Your Honour, I beg to present the Report of the Select Committee on the Bill to extend the law relating to Fisheries in the Punjab. The amendments proposed by the Committee are explained in detail in the report, and I need only refer to a few of the more important points.

2. The procedure contemplated in clause 3 of the Bill as introduced was somewhat indefinite in one respect. Sub-clause (3) (*a*) provided for the prohibition by rule of fishing except under license in any specified water, the intention apparently being that the rules, which can only be made after previous publication, should indicate the waters to which they will apply. Sub-clause (2), however, empowered the Local Government to extend the rules by simple notification to any public water, so that a rule prohibiting unlicensed fishing in one small stream might have been extended by notification, without any previous publication, to all public waters in the Punjab. To make the procedure logical and consistent one or other of the following alternatives seems necessary – either to make the rules general in form and to let their local application be determined by notification or to make specific rules for specific waters and to do away with the expedient of extension by notification. The Committee chose the latter course, so as to ensure publication before a rule is applied to any particular water. It seems clearly right that all persons likely to be affected by any such rule should be given an opportunity of objecting to it before the rule is actually brought into force.

3. The same considerations do not apply to the prohibition of sales. This is a measure supplementary and ancillary to the prohibition of killing, and the areas in which exposure for sale is to be forbidden will depend on the waters from which the killing of protected species or of undersized fish is prohibited. Exposure for sale will only be prohibited in the markets to which such fish are likely to be taken, and previous publication in this case seems unnecessary. In fact it would be useless to prohibit sale in markets out of the reach of protected waters, because a conviction could not be obtained unless it were shown that the fish in question had been taken from a water specified in the rules.

4. The only other important alteration made in the Bill is the incorporation from the Indian Fisheries Act, 1897, of a new clause (6) empowering police officers or other persons to arrest any one breaking the rules if the latter is a stranger and declines to give his name and address. I said when introducing the Bill that we hoped to be able to administer its provisions through the licensees without having any extensive resort to the agency of the police, and

[*Mr. Mant; Bakhshi Sohan Lal.*]

Government still holds to that policy. The new clause merely extends a provision of the existing law enabling the police or other authorized persons to intervene when an offender attempts to conceal his identity.

5. The Select Committee did not consider that these amendments or the other minor alterations described in their report were of sufficient importance to necessitate republication of the Bill, and I hope that the Council will agree to its being taken into consideration and passed to-day. The original Bill was published in the *Punjab Gazette* and circulated to various authorities for opinion. We have received the views of Government experts in other provinces, of Commissioners and Deputy Commissioners in the Punjab, and of a number of other officers interested in the subject. The main provisions of the Bill have met with practically unanimous approval, and the few criticisms or suggestions offered have generally been in the direction of strengthening the hands of the executive in preventing destructive methods of capture.

6. I do not propose to trouble the Council with a lengthy account of these opinions, but I should like to quote one or two extracts bearing on the most important points. With regard to the prevention of destructive methods and the prescription of a close season Mr. Wilson, piscicultural expert to the Government of Madras, describes the result of protection in two rivers of that Presidency as follows:—

'Some six years ago when I first inspected these waters I found they were nearly depleted of fish by the use of fixed engines, dynamite, etc. I advised the Madras Government to take immediate action to stop these destructive methods, and special rules were drawn up for the conservancy of these waters. The spawning grounds are now protected and a close season on the upper waters established, all fixed engines have been removed, dynamiting has been stopped and the rivers policed by watchers for some years now. The result of this conservancy is most satisfactory, and the waters have now nearly recovered their normal fish-bearing capacity.'

7. In connection with the question of licensing, Diwan Tek Chand, Deputy Commissioner of Gujránwála, urges the necessity of protecting fish from zamindar poachers, and Mr. Howell, Director of Fisheries, Punjab, states that the professional fishermen on the Beas are almost unanimously in favour of a licensing system. This is really the crucial point. The restrictions on indiscriminate fishing which the Bill is designed to enforce will benefit not only the consuming public, but also the men who live by catching and selling fish, and it is on the co-operation of the latter that the success of the measure will mainly depend. One of the chief duties of the Director of Fisheries will be to convince the fisher folk that their true interest lies in themselves observing the rules and in seeing that other people do so If Mr. Howell succeeds in enlisting these men on the side of the law, there is every reason to hope that the province will obtain a very material addition to its food supply.

8. With these remarks I beg to move that the Bill as amended by the Select Committee be taken into consideration."

The motion was put and agreed to.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal:—

"The first amendment which I propose concerns clause 3 (2). In my opinion the word "exclusive" in line 5 of that paragraph is altogether superfluous. The sense and the meaning of the clause are fully conveyed by omitting this word, while its existence is likely to cause confusion and difficulty in finding out what persons have exclusive rights and what persons have inclusive rights when more persons than one have a right of fishery in the same water. Each of them can exercise that right separately as well as jointly with some one or other. Some of them may have a right of fishing on account of ownership

[*Mr. Mant; Bakhshi Sohan Lal.*]

in the water, others may have a right of fishery on account of their being tenants, occupancy or non-occupancy, some may claim to have a right of fishery on account of their residence in a particular village or on account of certain easement, contract or any other custom or usage. So each class of these right-holders cannot be said to have an exclusive right of fishery in certain waters. Therefore in my humble opinion the word "exclusive" be omitted. Not only is it superfluous, but is also causing confusion and difficulty in finding out different rights of different right-holders. And I think the Hon'ble Member in charge of the Bill has not shown why it is necessary to restrict to persons having exclusive rights and not to persons who cannot be said to have exclusive rights, but have good rights of fishery in the same water. I think there are sufficient reasons to allow this amendment in second paragraph of clause 3."

The Hon'ble Mr. Mant:—

"Your Honour, the clause which the Hon'ble Member desires to amend follows the wording of section 6 (2) of the Indian Fisheries Act 4 of 1897. In section 3 (3) of that Act, the term 'private water' is defined as follows, and the same definition has been adopted in clause 3 (2) of the current Bill. The definition is as follows:—'Private water means water which is the exclusive property of any person or in which any person has for the time being an exclusive right of fishery whether as owner, lessee or in any other capacity,' and there is an explanation appended to that definition 'waters shall not cease to be 'private water' within the meaning of this definition by reason only that other persons may have by custom a right of fishery therein.' There are these two classes of rights in waters recognised under the existing law - firstly, an exclusive or private right and, secondly, a customary right which for the purposes of this discussion may be described as a public right. There may be public rights in private waters, but there can be no private rights in public waters. The Indian Fisheries Act gives the Local Government exclusive power to over-ride public rights not only in public waters, but also in private waters, provided that in the latter case the consent of all persons having private rights has been obtained. I do not think the Hon'ble Mover of this amendment has shown any valid reason why the same principle should not be followed in the present Bill. I understood him to say it would be a difficult matter to distinguish between 'exclusive' and 'non-exclusive' rights in the private waters, but it seems to me that the difficulty would be the other way. It is comparatively easy to discover who has proprietary or exclusive rights in the water, but it is very difficult to say who has a customary general or public right of fishing. In this province with its complicated system of customary rights it would be very difficult for Government to ascertain and obtain the previous consent of every person who may claim any sort of right of fishing in any particular private waters. So if the word 'exclusive' is omitted from the clause I would go so far as to say that the clause may well be omitted altogether because it would be practically impossible for Government to apply rules to any private water, and I think it would be a pity if it were omitted because the clause is designed to benefit water owners who would have their waters depleted by persons claiming customary rights and who may desire Government to assist them in protecting their waters. For these reasons I recommend that the amendment be rejected."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal:—

"Your Honour, I would explain in a few words. As a matter of fact the principle of the Fisheries Act is only applicable to public waters, but if Government is to extend those rules to private waters which do not in the ordinary course lie under the power of legislation

[*Bakhsh: Sohan Lal ; Mr. Mant.*]

and depend upon the consent of the persons who are to be affected by the results, my opinion is that the consent not only of the owners is to be obtained, but the consent of all such persons who are to be affected by that. In many cases the owners may have very little right whatever. The right of fishery may altogether be in the hands of those persons who are residents in the village or who are tenants of the land, so if the owner of the water wants to deprive all those persons of their right of fishery, he may give his consent to extend the provisions to the private water, but if the legislation or the rules are to affect those persons' rights in private waters their consent must be obtained before they are to be deprived of their old rights in private waters whether they are owners of such water or not."

The amendment was put to the Council and lost.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal :—

"The next amendment which I propose refers to clause 3 (3). I propose to add another sub-clause (*d*) which would run as follows :—

"Provide measures for the nursery and preservation of fish in any specified quarter or quarters of any notified water."

"Sub-clauses (*a*), (*b*) and (*c*) regulate the terms of licenses for fishing, but in the absence of any provision authorising the Local Government to close any quarter or quarters of water absolutely throughout all the seasons it cannot carry out the measures for the nursery and preservation of certain species and check the practical extermination of several species of fish like Mahsir or other species which have been depleted in the last decade as noted by some of the officers in their valuable opinions which are appended to the Bill. So in my humble opinion not only the fishing should be controlled, but also some measures should be adopted to breed and to preserve fish in certain quarters which may be considered to be quite suitable where fishing will have to be prohibited throughout the year and not only in the close season, and where the eggs will have to be put for nursing of certain species, and this power can only be given by legislation to the Local Government."

The Hon'ble Mr. Mant :—

"Your Honour, I think I should be justified in recommending the summary rejection of this amendment owing to the language in which it is couched. 'Provide measures for the nursery of fish' is not an intelligible expression, if the Hon'ble Member had used the term 'for the nursing of fish' it would have been English, though perhaps hardly proper. Again the term 'quarter of water' may mean something. I am not clear what it is, but this expression might also be altered if the Hon'ble Member presses for a division on the amendment. As it stands, I can only ask the Council to reject it on account of the defects in the wording. I should be sorry to have to do this because I know the Hon'ble Mover has the interest of the fishing industry at heart and is only trying to strengthen the hands of Government in furthering that industry. I therefore proceed to discuss the substance of the amendment. I assume that if the substance is approved by the Council the Hon'ble Member would recast the wording in something like the following form :—

'To provide measures for the breeding and preservation of fish in any specified water.'

"I think that would cover what he really means I am afraid, however, that I cannot support the proposal in substance. I doubt in the first place whether there is any real necessity for it. The Bill already provides for rules prohibiting the killing of a particular species of fish and of fish below a minimum size or weight. I doubt whether any further provision is really required or is necessary for protecting nursery. We have received opinions on

[*Bakhshi Sohan Lal; Mr. Muhammad Shafi.*]

the Bill from a number of experts, but none of them has suggested the necessity for this amendment in this measure. Our own Director of Fisheries, Mr. Howell, assisted in drafting the Bill, and gave a subsequent opinion on it and also attended the meeting of the Select Committee, but on none of those occasions did he ask for rules for the special protection of nurseries. Moreover, the terms of the amendment seem to me to be dangerously vague. The Bill as it stands is definite, that is to say, Government may prohibit or prescribe measures for the preservation of fish. Preservation of fish may mean anything; for instance, many fish are led away from rivers and canals by irrigation channels and perish in the fields. If the Hon'ble Member's amendment were carried out, it would apparently authorise Government to prohibt irrigation in order to preserve those fish. Of course Government would not dream of doing anything of the sort, but I think it would be wrong in principle for this Council to give a wide and indefinite power to the executive. I must therefore propose that the amendment be rejected."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal:—

"I think I need add only this much that I meant the word 'breeding' instead of the word 'nursery.' I have no objection to change the wording to this extent, but I think it is necessary to have such rules for their preservation. There are certain parts in rivers where fish can be bred and preserved throughout the year."

The amendment was put and lost.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal:—

"The third amendment which I propose refers to clause 4. My reason for proposing this amendment is that when the Local Government is empowered to prohibit by notification in any specified areas the offering or exposure for sale or barter of any fish the killing of which is prohibited by any rule made under section 3 (3) (*b*) and (*c*), there is no reason why private sales out of the open market as well as gifts and presents even in open market of such prohibited fish should be allowed especially when their killing is penalised. If any person carrying any such prohibited fish is detected even if he is going to the market for sale, he can easily evade the penalty by asserting that he was carrying the fish to be presented to such and such a person. How is the killing of fish to be proved if the presentation of the killed fish of certain species under specified weight or size is not penalized? Thus if the possessor offers or exposes for sale or barter he is offender, but if he can afford to make a present of it to the police officer or any other person detecting him he can be let off because he was going to make a present of the thing and was not going to sell it or to barter it. It would be impossible to prove that the seller and the purchaser both have colluded, and they say they did not receive or pay anything for this. Of course the evidence of a third person would be of no value whatever when both of them say that as a matter of fact the thing passed without consideration. If it is wanted to prevent the killing of certain species of fish and of fish under certain weights or sizes which is going to be offered or exposed for sale its exposure or offer for sale alone ought not to be restricted, but also its gifting or presenting as well. So in the absence of such amendment the law is likely to be violated constantly with impunity without the offender being caught. So in my humble opinion this amendment ought to be carried out in order to make the law clear and to bring the offenders to justice."

The Hon'ble Mr. Muhammad Shafi:—

"May I with Your Honour's permission request the Hon'ble Member in charge of the Bill to explain to the Council whether under clause 4 as framed

[*Mr. Mant; The President; Mr. Muhammad Shafi.*]

by the Select Committee the sale or barter or offer for sale or barter of any fish the killing of which is prohibited by rules specified in this clause, but yet which sale or barter is not intended for the purpose of fish being killed or for anything of that kind but for the purposes of breeding fish, will come within the purview of this clause or not? For instance, *A* and *B* are two persons interested in the breeding of fish and merely for the purpose of breeding fish *A* purchases from *B* or *A* and *B* barter two different kinds of fish, although the killing of these fishes may be prohibited under that rule. and this sale or barter between *A* and *B* is not intended for the purpose of killing. What I want to know is this whether under the clause as framed you contemplate that the rule framed should cover all cases of this kind also But before discussing the amendment which has been proposed by my Hon'ble friend it is better that this point be cleared up."

The Hon'ble Mr. Mant:—

"I do not quite see how it bears on the amendment before the Council."

His Honour the President:—

"The Hon'ble Mr. MUHAMMAD SHAFI wants to have that point cleared before the amendment is discussed."

The Hon'ble Mr. Muhammad Shafi:—

"Because if this point is cleared up we shall be in a position to say whether the amendment as proposed by my Hon'ble and learned friend is one which ought to be accepted or not."

The Hon'ble Mr. Mant:—

"I understand the point of the question is whether this section would apply to live fish. I am afraid under the section as now worded it would."

The Hon'ble Mr. Muhammad Shafi:—

"It seems to me the firsh might come within the purview of this section, the killing of which is prohibited, and yet the barter or sale may not be for the purpose of killing, but may be for the purpose of breeding."

The Hon'ble Mr. Mant:—

"If the Hon'ble Member would like to give a proviso to cover this point I would be very glad to consider it, but I insist I do not see that it really affects the present amendment. With Your Honour's permission we may deal with the amendment of the Hon'ble Bakhshi SOHAN LAL first and take up this point afterwards."

The Hon'ble Mr. Muhammad Shafi:—

"Your Honour, as the Hon'ble Member in charge of the Bill is in agreement with me that even cases of sale or barter of fish intended not for the purpose of killing but for the purpose of breeding come within the purview of this clause, I entirely oppose the introduction in this Act of the further provision which the Hon'ble Bakhshi SOHAN LAL seeks to introduce. It will be noticed that clause 4 as it stands at present goes further than the intention of the framers was, and if even barter or gift or present of fish is to be prohibited, as my Hon'ble friend would have it, it seems to me that the inevitable consequence would be that the evil which at present results would be increased instead of being diminished. I therefore ask the Council to reject the amendment."

The Hon'ble Mr. Mant :—

"Your Honour, I would like to offer a few remarks on the amendment to explain why we only provide for exposure or sale in the Bill. In the first place the wording of this amendment is also defective. The word "and" occurs in two places between gift and present, and is apparently intended for "or", and the word "present" probably signifies presentation or something of that sort. However, I just turn to the substance of the amendment. I again feel reluctant in opposing the Hon'ble Mover because I know he only wants to help the Government, but I am not satisfied that we ought to go any further in this direction than is provided under the Bill already. I think the sound principle is not to penalise more Acts than is necessary for the purpose in view. We do not under this Bill penalise 'sale' because it seems to us that exposure for sale would practically cover all cases. It would hardly be necessary to prove that the sale did take place when at the same time proving that the fish was exposed for sale. It seems therefore unnecessary to penalise the act of sale or barter. As regards the gifts or presents it may be true as the Hon'ble Mover says the fish may be and is often disposed of in that way. We doubt whether the transactions would be sufficiently numerous to warrant legislation against them. We propose to penalise exposure for sale in order to restrict the catching for sale of undersized and protected fish. It would be difficult to get a conviction because it would be necessary to prove that not only the fish was a protected species, but also was taken from the water in which the killing of that species is prohibited. In practice prosecution would only be necessitated when protected fish are being marketed, and probably in most cases warning to the dealers would be found sufficient. The same considerations do not apply to the cases of gifts. I gather from the Hon'ble Member's argument that he was really referring to a case of possession. I regret to say that this is really irrelevant because we are not penalising possession. Possession cannot be penalised unless the fish is exposed for sale in the market. I think it would hardly be possible to convince the court unless the fish, the killing of which is prohibited, is exposed for sale thereby showing that it is really intended to be given away It seems to me therefore unnecessary to introduce this further provision I would therefore recommend the rejection of this amendment in substance and also on account of its form."

The Hon'ble Rai Bahadar Bakhshi Sohan Lal :—

" Your Honour, I simply wish to explain that very often the sellers of fish do not take it to the open market for sale: they take a basket containing fish from house to house, and there is a question whether they are offered for sale. They may have a basket or they may have a bag containing fish and go into private houses for sale. So they may go into houses and sell the fish and they cannot be said to have exposed them or to have offered them in the public market if the matter is to be restricted to a public market. So my meaning is that the section ought to be so framed as to detect the offenders. But if in 99 out of 100 cases offenders can get off without any punishment it is better r t to have such a law rather than to leave it in such a doubtful state as to make it highly improbable to detect the offenders."

The amendment was put to the Council and lost.

The Hon'ble Mr. Mant :—

" Your Honour, before I move that the Bill be passed I should like to move with Your Honour's permission an amendment to clause 4 to meet the point raised by the Hon'ble Mr. Muhammad Shaffi, and I am very much obliged to that gentleman for drawing attention to that point. As a matter of fact, I do not think that in practice anyone would be likely to be penalised or

[*Mr. Muhammad Shafi*; *Mr. Mant.*]

that the Local Government would make a rule prohibiting the selling of fish for breeding only. Still I think it is desirable that it should be made evident I therefore propose that in line 5 of clause 4 for the words " the killing of which is prohibited by" the following words should be substituted " killed in contravention of," that is to say, instead of penlising the sale or barter of any fis" the killing of which is prohibited by any rule, the rule will run "killed in contravention of any rule."

The Hon'ble Mr. Muhammad Shaffi :—

" Your Honour, that would meet the requirement of the case."

The amendment was put and agreed to.

The Hon'ble Mr. Mant :—

" Your Honour, I do not think I need trouble the Council with any further remarks on the substance of the Bill, I therefore move that the Bill as amended by the Select Committee and further amended by this Council be passed."

The motion was put and was carried.

To be continued in the next issue of the Gazette.

2569 GPP—946—26-12-13—SGPP Lahore.

Government Gazette Extraordinary

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, THURSDAY, JANUARY 2, 1913.

HOME DEPARTMENT.

LEGISLATIVE.

The 2nd January 1913.

No. 1.—*Notification.*—In exercise of the powers conferred by section 45 of the Indian Councils Act, 1861 (24 and 25 Vict., Cap. 67), and section 1 of the Indian Councils Act, 1909 (9 Edw. 7, Cap. 4), and with the previous sanction of His Excellency the Viceroy and Governor-General, the Lieutenant-Governor is pleased to nominate the following gentlemen to be Members of the Council of the Lieutenant-Governor of the Punjab for the purpose of making Laws and Regulations :—

Mr. A. H. Diack, C.V.O.

Mr. M. W. Fenton, C.S.I.

Mr. C. A. Barron, C.I.E.

Mr. H. P. Tollinton.

Mr. R. A. Mant.

Mr. J. C. Godley.

Sir H. P. Burt, K.C.I.E.

Mr. P. J. Fagan.

Mr. S. W. Gracey.

Sir A. M. Ker, C.I.E., M.V.O.

Khan Bahadur Mian Muhammad Shafi.

Khan Bahadur Khwaja Yusaf Shah.

Nawab Ibrahim Ali Khan of Kunjpura.

Nawab Sir Bahram Khan, K.C.I.E.

Sardar Daljit Singh.

Sardar Bahadur Sundar Singh, Majithia.

No. 3.—Appointment.—With reference to rule 13 of schedule I of the Regulations for the nomination and election of members of the Legislative Council of the Lieutenant-Governor of the Punjab, it is hereby notified that Rai Bahadur Lala Shadi Lal, Barrister-at-Law, has been declared, under rule 11 (1) of the said schedule, elected as member of that Council by the University of the Punjab.

No. 4.—Notification.—With reference to rule 16 of schedule II of the Regulations for the nomination and election of members by municipal committees in the Punjab of the Legislative Council of the Lieutenant-Governor of the Punjab, it is hereby notified that the following candidates have been declared, under rule 14 of the said schedule, elected for the groups noted against them as members of that Council:—

1. Lala Kashi Ram (Senior) of Ferozepore ... For the Cis-Sutlej Group.
2. Rai Bahadur Ram Saran Das of Lahore ... For the Central Group.
3. Rai Bahadur Hari Chand of Multán ... For the Western Group.

No. 5—Notification.—With reference to rule 20 of schedule III of the Regulations for the nomination and election of members by district boards in the Punjab of the Legislative Council of the Lieutenant-Governor of the Punjab, it is hereby notified that the following candidates have been declared, under rule 18 of the said schedule, elected for the groups noted against them as members of that Council:—

1. Babu Gajjan Singh of Ludhiána ... For the Cis-Sutlej Group.
2. Rai Bahadur Bakhshi Sohan Lal of Lahore. For the Central Group.
3. Malik Muhammad Amin Khan of Shamsabad. For the Western Group.

No. 6.—Notification.—With reference to rule 4 of schedule IV of the Regulations for the nomination and election of members of the Legislative Council of the Lieutenant-Governor of the Punjab, it is hereby notified that Mr. James Currie has, under rule 3 of the said schedule, been elected by the Punjab Chamber of Commerce as a member of that Council.

C. A. BARRON,

Chief Secretary to Government, Punjab.

Punjab Government Press, Lahore—2-1-13—990.

ernment Gazette Extraordinary

PUNJAB AND ITS DEPENDENCIES.

Published by Authority.

LAHORE, SATURDAY, JANUARY 11, 1913.

HOME DEPARTMENT.

GAZETTE.

The 9th January 1913.

. 41.—The Royal Commission on the Public Services in India hope,
ourse of the next few months, to take the evidence of witnesses
to the Punjab on the subject of the Indian and Provincial Civil
The following sets of questions, marked A and B, relating to those
and intended primarily, the former for the Local Government and
ad the latter for non-officials, are published for general information.
Associations and gentlemen, official and non-official, who are inter-
his branch of the Commission's enquiry, are invited to tender written
s regarding any matters, referred to in either set of questions, as to
y may desire to make any representation, together with an indication
ualifications for giving an opinion on the points at issue. The written
s should be forwarded so as to reach the Joint Secretaries to the
on at Calcutta not later than the 10th February 1913. The questions
sarily wide and general, and it is only asked that replies be made on
n which the writer deems himself qualified to speak or desires to
particular view.

C. A. BARRON,

Chief Secretary to Government, Punjab.

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C. A. BARRON,

Chief Secretary to Government, Punjab.

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Published by Authority.

LAHORE, SATURDAY, JANUARY 11, 1913.

HOME DEPARTMENT.

GAZETTE.

The 9th January 1913.

No. 41.—The Royal Commission on the Public Services in India hope, in the course of the next few months, to take the evidence of witnesses belonging to the Punjab on the subject of the Indian and Provincial Civil Services. The following sets of questions, marked A and B, relating to those Services, and intended primarily, the former for the Local Government and officials and the latter for non-officials, are published for general information. Societies, Associations and gentlemen, official and non-official, who are interested in this branch of the Commission's enquiry, are invited to tender written statements regarding any matters, referred to in either set of questions, as to which they may desire to make any representation, together with an indication of their qualifications for giving an opinion on the points at issue. The written statements should be forwarded so as to reach the Joint Secretaries to the Commission at Calcutta not later than the 10th February 1913. The questions are necessarily wide and general, and it is only asked that replies be made on matters on which the writer deems himself qualified to speak or desires to express a particular view.

C. A. BARRON,

Chief Secretary to Government, Punjab.

A

THE ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

Presidency or Province ______________________

(*i*) Number of Witness ______________________

(*ii*) Name of Witness ______________________

(*iii*) Designation of Witness ______________________

____

____

(*i*) This entry will be made in the office of the Royal Commission.

(*ii*) and (*iii*) In the case of answers given by the Local Governments these items need not be filled in.

(*iii*) Under this heading witnesses are requested to state (*a*) post now held; (*b*) age and seniority; (*c*) title and distinctions, if any.

QUESTIONS RELATING TO THE INDIAN CIVIL SERVICE.

INDIAN CIVIL SERVICE.

METHODS OF RECRUITMENT.

(a) General.

Question 1.—What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

Question 2.—In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

Question 3.—Is the system equally suitable for the admission of "Natives of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

Question 4.—Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?

*The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including any persons born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only; and the term has been so used throughout these questions.

Question 5.—Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests ? Please give your reasons.

Question 6.—If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles :—

(*a*) Selection by headmasters of schools approved or otherwise :

(*b*) Selection by authorities in Universities approved or otherwise :

(*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State :

(*d*) Combined nomination and examination :

(*e*) Any other method.

Question 7.—What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty ?

Question 8.—Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions ?

Question 9.—What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India ? If so, what proportion do you recommend ?

Question 10.—If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination ; (*b*) combined nomination and examination ; or (*c*) any other method ? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented ? If so, how would you give effect to this principle ?

Question 11.—If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty ?

Question 12.—Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services ?

Question 13.—Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service ? If so, please describe the system that you would propose.

Question 14.—Are you satisfied with the present definition of the term "Natives of India" in Section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent ? If not, please state fully any proposals that you wish to make in regard to this matter.

(*b*) *Age Limits.*

Question 15.—If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed

to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?*

*The principal changes in the age limits have been as follows:—

Years	Age limits at Open Competition.	Period of probation in England.	Age of selected candidates at end of year of arrival in India.
1855—1857 ...	18—23 years	No probation in England ...	18½—23½
1860—1865 ...	18—22 years	One year's probation	19½—23½
1866—1878 ...	17—21 years on 1st March ...	Two years' probation	19¾—23¾
1878—1891 ..	17—19 years on 1st January ...	Two or three years' probation ...	20—23
1892—1895 ...	21—23 years on 1st April ...	One year's probation	22⅔—24⅔
1896—1905 ...	21—23 years on 1st January ...	Ditto	23—25
Since 1906 ...	22—24 years on 1st August ...	Ditto	23½—25½

Question 16.—What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?

Question 17.—What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?

Question 18.—What is the most suitable age at which junior civilians should arrive in India?

Question 19.—What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?

(c) Subjects of Examination.

Question 20.—On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?

Question 21.—Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?

Question 22.—Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons.

(d) Statutory Regulations.

Question 23.—Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict. c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c. 54) and of the Government of India Act, 1870 (33 Vict. c. 3), reproduced as Appendices II and III to these questions.]

Question 24.—Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?

Question 25.—Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance

either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict. c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict. c. 54)? Do you recommend any alterations in this system, and if so, what?

Question 26.—Give a list of the "Natives of India" now serving in your Province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.

Question 27.—Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?

Question 28.—Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?

(*e*) *Mixed Commissions.*

Question 29.—What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter.

Question 30.—Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility? Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?

Question 31.—If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?

Question 32.—Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?

(*f*) *Listed Posts, &c.*

Question 33.—Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vct. c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your Province.

Question 34.—Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons.

Question 35.—To what extent also during the last five years have these listed posts been filled—

(*a*) by members of the Provincial Civil Service;

(*b*) by other "Natives of India"?

Please give the names and positions of the latter, if any.

Question 36.—Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised, and in what directions?

Question 37.—Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—

(*a*) to the members of the Provincial Civil Service; and

(*b*) to the public interested in this question;

and what advantages, if any, does this arrangement possess?

Question 38.—Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?

Question 39.—Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?

Question 40.—Please now turn to the Indian Civil Service Act, 1861 (24 and 25 Vict. cap. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled.

Question 41.—Are there any other ways in which "Natives of India" are appointed to your Province to Civil Service posts? If so, please give details of the same.

Question 42.—Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

SYSTEMS OF TRAINING AND PROBATION.

(*a*) *Probation.*

Question 43.—What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?

Question 44.—What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?

Question 45.—Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?

Question 46.—If so, do you advise the selection of one or more Universities for this purpose, and for what reasons?

Question 47.—Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.

Question 48.—If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?

Question 49.—Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?

Question 50.—If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?

Question 51.—Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?

Question 52.—In particular, please state your opinion as to the desirability during the period of probation of (1) compulsory attendance at Law Courts in England and reporting of cases; (2) the teaching of Indian Law in addition to the general principles of jurisprudence; (3) the teaching of the grammar and text books of Indian languages with or without any attempt at colloquial instruction; (4) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.

Question 53.—Do you consider that the probationer's course of instruction can best be spent in England or in India?

Question 54.—What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?

Question 55.—What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

Question 56.—In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?

Question 57.—If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers.

Question 58.—In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?

Question 59.—Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

(*b*) *Training*.

Question 60.—Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

Question 61.—Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?

Question 62.—Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?

Question 63.—Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?

Question 64.—Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?

Question 65.—Do you recommend any special course of study in law in India for officers selected for the Judicial branch?

Question 66.—Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?

Question 67.—Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?

Question 68.—Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.

Question 69.—If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.

SYSTEM OF TRAINING AND PROBATION.

Question 70.—Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

Question 71.—Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions.

CONDITIONS OF SERVICE.

Question 72.—The present theory underlying the conditions of service in the Indian Civil Service is that—

(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and

(*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties.

To secure these objects the number of posts called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?

Question 73.—It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?

Question 74.—Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total nett number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and, if so what, has been caused thereby to the Administration.

Question 75.—Please now see the statement marked AA and the list marked—

Madras = A,
Bombay = B,
Bengal = C,
United Provinces = D,
Punjab = E,
Burma = F,
Bihar and Orissa = G,
Central Provinces and Berar = H,
Assam = I,

which have been reproduced in appendix VII to these questions, and say whether they are correct for your Province. If not, please state what amendments are necessary.

Question 76.—Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?

Question 77.—Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. Attention is invited in this connexion to List J, in Appendix VII to these questions.

Question 78.—Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?

Question 79.—Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?

Question 80.—Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your Province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail.

Question 81.—Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?

Question 82.—Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable.

Question 83.—Does the annual decremental rate of 4·17 per cent. on the total strength of the Service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same.

Question 84.—Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?

Question 85.—Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?

Question 86.—State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?

Question 87.—Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

Question 88.—To what extent are the functions of the Officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?

Question 89.—Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave, and pension?

CONDITIONS OF SALARY.

Question 90.—Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading of each class of post for the different provinces, and say whether they are correct for your Province?

Question 91.—Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorised on the 1st April of each of the following years; 1860, 1870, 1880, 1890, 1900 and 1912.

Question 92.—Are the present rates of pay and grading suitable? If not, what alterations do you recommend?

Question 93.—If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?

Question 94.—Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and if so, what?

Question 95.—Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

Question 96.—If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

Question 97.—How does the system of acting allowances work in the case of officers selected to officate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestions to make on the subject?

Question 98.—How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?

Question 99.—What is your opinion regarding the substitution for the existing graded system of promotion of a time scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?

Question 100.—As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?

Question 101.—What is your experience of the practical working of time-scales of pay in other Indian services?

Question 102.—If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in provinces where the scale of pay of the judicial and executive branches of the service is different?

Question 103.—If you are in favour of a time scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?

Question 104.—Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?

Question 105.—Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?

CONDITIONS OF LEAVE.

Question 106.—Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

Question 107.—Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

Question 108.—Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest.

Question 109.—Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

Question 110.—Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?

Question 111.—Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?

Question 112.—Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

Question 113.—Generally speaking do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and, if so, what, and what remedy do you suggest?

Question 114.—In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this difficulty be met?

Question 115.—Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?

Question 116.—Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

Question 117.—Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?

CONDITIONS OF PENSION.

Question 118.—Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?

Question 119.—Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service.

Question 120.—Assuming the maintenance of the annuity system do you suggest any modifications in its detailed working, and, if so, what and for what reasons?

Question 121.—In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of 1,200*l.* a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?

Question 122.—Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.

Question 123.—Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend.

Question 124.—Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?

Question 125.—Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?

Question 126.—Do you approve of the present system regulating the pensions of military officers holding Indian Civil Service posts? If not, what do you suggest?

Question 127.—Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?

Question 128.—Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?

Question 129.—Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?

Question 130.—In particular do you approve of the exclusion from their benefits of "Natives of India" who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?

Question 131.—Do you recommend that such admission should be optional or compulsory?

Question 132.—If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?

Question 133.—Is the existing system under which provision is made for the families of deceased military officers holding Indian Civil Service posts satisfactory? If not, what would you suggest?

Question 134.—Have you any criticisms to make on the facilities at present offered—

(*a*) to statutory civilians;

(*b*) to members of the Provincial Civil Services holding listed posts;

for providing for their families against their decease?

Question 135.—Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?

GENERAL.

Question 136.—Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.

Question 137.—Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them.

QUESTIONS RELATING TO THE POVINCIAL CIVIL SERVICE.

[NOTE.—In replies to these questions it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

PROVINCIAL CIVIL SERVICE.

METHODS OF RECRUITMENT.

Question 1.—Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?

Question 2.—Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?

Question 3.—Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B. to these questions, and state whether the information is correct for your Province. If not, what alterations are required?

Question 4.—Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation.

Question 5.—Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your Province in each year.

Question 6.—What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend.

Question 7.—To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?

Question 8.—Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

SYSTEMS OF TRAINING AND PROBATION.

Question 9.—What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alternations do you recommend?

Question 10.—Is the existing system of Departmental examinations suitable, and if not, what changes do you recommend?

CONDITIONS OF SERVICE.

Question 11.—Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?

Question 12.—What is the system on which the strength of the Executive/Judicial branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?

Question 13.—In particular, is the leave reserve adequate, and the system on which it is graded suitable?

Question 14.—Is there any reserve for officers under training and is it adequate?

Question 15.—What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?

Question 16.—To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?

Question 17.—Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

Question 18.—To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

Question 19.—Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alternations do you suggest?

Question 20.—Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?

Question 21.—Are you satisfied with the present designation "the Provincial Civil Service? If not, what would you suggest?

CONDITIONS OF SALARY.

Question 22.—Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

Question 23.—Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?

Question 24.—Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

Question 25.—Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?

Question 26.—What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?

Question 27.—As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

Question 28.—What is your experience of the practical working of time-scales of pay in other Indian Services?

Question 29.—If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?

Question 30.—Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

Conditions of Leave.

Question 31.—Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?

Question 32.—Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest.

Question 33.—Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

Question 34.—Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

Question 35.—Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

Question 36.—Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

Question 37.—Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?

Question 38.—In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?

Question 39.—Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

Conditions of Pension.

Question 40.—Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?

Question 41.—Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?

Question 42.—Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?

Question 43.—Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?

Question 44.—Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?

Question 45.—To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?

General.

Question 46.—Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

Question 47.—Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

APPENDIX I.

Period of Age-Limits, 17-21, *i.e.*, down to 1877. Subjects.	Marks.	Period of Age-Limits, 17-19, *i.e.*, 1878—1891. Subjects.	Marks.
1. English Composition	500	1. English Composition	300
2. History of England, including that of the Laws and Constitution.	500	2. History of England, including a period selected by the candidate.	300
3. English Language and Literature ...	500	3. English Literature, including books selected by the candidate.	300
4. Language, Literature and History of Greece.	750	4. Greek	600
5. Language, Literature and History of Rome.	750	5. Latin	800
6. Language, Literature and History of France.	375	6. French...	500
7. Language, Literature and History of Germany.	375	7. German	500
8. Language, Literature and History of Italy.	375	8. Italian	400
9. Mathematics (pure and mixed) ...	1,250	9. Mathematics (pure and mixed) ...	1,000
10. Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; 4) Zoology; (5) Botany. The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head.	1,000	10. Natural Science—that is, the Elements of any two of the following Sciences, *viz.*, Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	800 or 600
11. Moral Science—that is, Logic, Mental and Moral Philosophy.	500	11. Logic	300
		12. Elements of Political Economy	300
12. Sanskrit Language and Literature ...	500	13. Sanskrit	500
13. Arabic Language and Literature ...	500	14. Arabic	500

APPENDIX I—(continued).

Period of Age-Limits, 21-23, *i.e.*, 1892-1905.

Subjects.	Marks.
1. English Composition	500
2. English History	500
3. English Law, *viz.*,—Law of Contract—Criminal Law.—Law of Evidence and Law of the Constitution.	500
4. English Language and Literature (including special period named by the Commissioners).	500
5. Greek Language and Literature ...	750
6. Greek History (Ancient, including Constitution).	400
7. Latin Language and Literature ...	750
8. Roman History (Ancient, including Constitution).	400
9. Roman Law	500
10. French Language and Literature ...	500
11. German Language and Literature ...	500
12. General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History).	500
13. Mathematics (pure and applied) ...	900
14. Advanced Mathematical subjects (pure and applied).	900
15. Natural Science, *i.e.*, any number not exceeding three of the following subjects:—	
Elementary Chemistry and Elementary Physics ... ... 600 (*N.B.*—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics)—	...
Higher Chemistry ... 600	1,800 (for Higher Chemistry to Animal Physiology)
Higher Physics ... 600	
Geology 600	
Botany 600	
Zoology 600	
Animal Physiology ... 600	
16. Logic and Mental Philosophy (Ancient and Modern).	400
17. Moral Philosophy (Ancient and Modern ...	400
18. Political Economy and Economic History	500
19. Political Science (including Analytical Jurisprudence, the Early History of Institutions and Theory of Legislation).	500
20. Sanskrit Language and Literature ...	500
21. Arabic Language and Literature ...	500

Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.

Period of Age-Limits, 22-24, *i.e.*, 1906 to Date.

Subjects.	Marks.
1. English Composition	500
2. English History, either or both sections may be taken—	
Section I, to A.D. 1485	400
Section II, to A.D. 1485 to 1848 ...	400
3. English Law	500
4. English Language and Literature ...	600
Greek, not less than two sub-divisions, of which one must be Translation:—	
5. Translation	400
6. Prose Composition	200
7. Verse Composition	200
8. Literature, &c.	300
9. Greek History (Ancient, including Constitution).	500
Latin not less than two sub-divisions, of which one must be Translation:—	
10. Translation	400
11. Prose Composition	200
12. Verse Composition	200
13. Literature, &c.	300
14. Roman History (Ancient, including Constitution).	500
15. Roman Law	500
16. French, History of the Language and Literature.	200
17. French, Translation, Composition and Conversation.	400
18. German, History of the Language and Literature.	200
19. German, Translation, Composition and Conversation.	400
20. Italian, History of the Language and Literature.	200
21. Italian, Translation, Composition and Conversation.	400
22. General Modern History	500
23. Lower Mathematics	1,200
24. Higher Mathematics	1,200
25. Natural Science, *i.e.*, any number not exceeding four of the following or three if both Lower and Higher Mathematics be also taken—	
(1) Chemistry ... 600	2,400 or 1,800 (for (1) to (7))
(2) Physics ... 600	
(3) Geology ... 600	
(4) Botany ... 600	
(5) Zoology ... 600	
(6) Animal Physiology 600	
(7) Geography ... 600	
26. Logic and Physiology	600
27. Moral and Metaphysical Philosophy ...	600
28. Political Economy and Economic History	600
29. Political Science	500
30. Sanskrit Language and Literature ...	800
31. Arabic Language and Literature ...	800

Consistently with the limitations specified above Candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000.

APPENDIX II.

THE INDIA CIVIL SERVICE ACT, 1861.

(24 *and* 25 *Vict.*, *Cap.* 54.)

AN ACT TO CONFIRM CERTAIN APPOINTMENTS IN INDIA, AND TO AMEND THE LAW CONCERNING THE CIVIL SERVICE THERE.

[1st August 1861.]

WHEREAS by section fifty-six of an Act of the thirty-third year of King George the Third, Chapter fifty-two, it was enacted that all the civil servants of the East India Company in India, under the rank or degree of Members of Council should have and be entitled to precedence in the service of the said Company at their respective stations according to their seniority of appointment, and that no such civil servant should be capable of being advanced or promoted to any higher station, rank, or degree therein than he should be entitled to according to the length of his service; and by section fifty-seven of the same Act it was enacted that all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) should be from time to time filled up and supplied from amongst the civil servants of the said Company belonging to the presidency wherein such vacancies should respectively happen: And whereas by reason of the exigencies of the public service vacancies in certain offices, places and employments in India have been filled up by the appointment of persons not being civil servants, or not being civil servants belonging to the presidency wherein the vacancies have happened, and otherwise not in accordance with the provisions of the said enactments, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. *All appointments made by the authorities in* India *to any such Offices, Places or Employments shall be and be deemed to have been as valid and effectual as if the Act herein-before recited or referred to had not been passed.—(Rep. 55 & 56 Vict. c. 19).*

2. All vacancies happening in any of the offices, places or employments specified in the Schedule annexed to this Act, and all such offices which may be created hereafter, shall be filled up and supplied, except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India.

3. Where it appears to the authority in India by whom an appointment should be made to any office, place, or employment specified in the said Schedule, that such appointment, under the special circumstances of the case, should be made without regard to the recited qualifications, conditions and restrictions of the said Act, it shall be lawful for such authority to make such appointment accordingly; provided that no person shall be so appointed who has not resided for at least seven years in India, and that every person previously to his being so appointed to any of the offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an examination in the vernacular language of the district in which he is to be employed, where such examination is now required, and shall be subject to all the departmental tests and other qualifications and restrictions which are or may be imposed in the like case on covenanted civil servants.

4. Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same; and unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of Members present at a meeting and shall within twelve months from the date of such appointment notify such approval to the authority by whom the appointment was made, then such appointment shall be cancelled.

5. All vacancies happening in any other offices, places, or employments than those mentioned in the said Schedule, and all other offices than those so mentioned that may hereafter be created in India may be filled up and supplied without regard to the qualifications, conditions and restrictions prescribed by the said Act.

6. Provided always that this Act shall not apply to the office of Lieutenant-Governor of any part of Her Majesty's dominions in India, or to any offices for the supply of which provision may be made by any other Act of the present session of Parliament.

7. Section fifty-six of the said Act of the thirty-third year of King George the Third, and so much of the other sections of the said Act and of any other Act now in force as requires seniority as a condition or qualification for the appointment of civil servants to offices, places, or employments, shall be repealed.

So much of 33 G. 3. c. 52, as requires seniority, &c., for appointments repealed.

SCHEDULE.

Secretaries, Junior Secretaries, and Under-Secretaries to the several Governments of India, except the Secretaries, Junior Secretaries and Under-Secretaries in the Military, Marine, and Public Works Departments.

Accountant-General.

Civil Auditor. (a)

Sub-Treasurer. (b)

Judicial.

1. Civil and Sessions Judges, or Chief Judicial Officers of districts in the Provinces now known as Regulation Provinces.
2. Additional and Assistant Judges in the said Provinces.
3. Magistrates or Chief Magisterial Officers of Districts in the said Provinces.
4. Joint Magistrates in the said Provinces.
5. Assistant Magistrates or Assistants to Magistrates in the said Provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.
2. Secretaries to the said Boards of Revenue.
3. Commissioners of Revenue or Chief Revenue Officers of Divisions in the Provinces now known as Regulation Provinces.
4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.
5. Deputy or Subordinate Collectors where combined with the Office of Joint Magistrate in the said Provinces.
6. Assistant Collectors or Assistants to Collectors in the said Provinces.
7. Salt Agents.
8. Controller of Salt Chowkies.
9. Commissioners of Customs, Salt and Opium.
10. Opium Agents

(a) Now called Comptroller General.

(b) Now non-existent.

APPENDIX III.

The Government of India Act, 1870.

(33 *Vict., Cap.* 3.)

An Act to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

* * * * * * * *

6. Whereas it is expedient that additional facilities should be given for the employment of natives of India, of proved merit and ability, in the civil service of Her Majesty in India:

Power to appoint natives of India to certain offices without certificate from the Civil Service Commissioners. 21 & 22 Vict., c. 106. 24 & 25 Vict., c. 54.

Be it enacted, that nothing in the Government of India Act, 1858, or in the Indian Civil Service Act, 1861, or in any other Act of Parliament or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the civil service of Her Majesty in India from appointing any native of India to any such office, place, or employment, although such native shall not have been admitted to the said civil service of India in manner in section thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to

time prescribed by the Governor General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present;

and that for the purpose of this Act the words "natives of India" shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only;

and that it shall be lawful for the Governor General in Council to define and limit from time to time the qualification of natives of India thus expressed; provided that every resolution made by him for such purpose shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

APPENDIX IV.

No. 1128.

GOVERNMENT OF INDIA, HOME DEPARTMENT.

ESTABLISHMENTS.

Simla, the 26th August 1910.

NOTIFICATION.

IN exercise of the power conferred by section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), and in supersession of the rules published in the Home Department notification No. 2159 (Public), dated the 2nd November 1892, the Governor General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present:—

1. The local Government may appoint any member of the provincial civil service subordinate to it, who is a native of India, and of proved merit and ability, to any of the offices, places, and employments ordinarily held by members of the Civil Service of His Majesty in India, to fill which it has been declared by such local Government (by notification in the official Gazette) that members of such provincial civil service can properly be appointed.

2. The local Government may at any time appoint any native of India of proved merit and ability to any of the offices, places, and employments specified by such local Government in any such notification as in rule 1 is mentioned; provided that not more than one-fourth of the offices, places, and employments so specified shall at any one time be held by natives of India not members of the provincial civil service subordinate to the local Government; but this proviso shall not apply to or include any native of India (not a member of a provincial service,) who has prior to the making of these rules, been appointed under section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), to an office, place, or employment in the Civil Service of India.

3. In addition to appointments made under rules 1 and 2 the local Government may, whenever the exigencies of the public service render it necessary, appoint to any of the offices, places, or employments ordinarily held by members of the Civil Service of His Majesty in India, for a period not exceeding three months, any native of India of proved merit and ability; provided that the appointment of any such officer shall not involve his transfer from another district.

4. The local Government may declare any appointment to be made on probation only and may prescribe the terms on which it is made and the conditions with which the person appointed must comply before he can be confirmed.

5. The local Government may at any time suspend and remove any person appointed by such local Government under these rules.

A. EARLE,

Officiating Secretary to the Government of India.

APPENDIX V.

Statement showing Posts listed as open to the Provincial Civil Services.

Superior Posts.	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces (and Berar).	Total.
Heads of districts ...	2	2	8 (Heads of districts and District and Divisional Judges)	2	2	2	5 (Heads of districts and District and Divisional Judges)	4	49 (Heads of districts and District and Divisional Judges)
District and Divisional Judges.	4	3		5	6	2		2	
Settlement Collectors.	—	—	—	—	2	1	—	—	3
Sub-Collectors ...	2	—	—	—	—	—	—	—	2
Secretary, Board of Revenue.	—	—	—	—	1	—	—	—	1
Talukdari Settlement Officer.	—	1	—	—	—	—	—	—	1
TOTAL ...	8	6	8	7	11	5	5	6	56
Inferior Posts.									
Secretary to Board of Revenue.	1	—	—	1	—	—	—	—	2
Under Secretary to Government	1	—	1	—	1	—	1	—	4
Joint Magistrates or Assistant Commissioners or Assistant Collectors.	5	8	8	7	3	—		2	33
Assistant Judges ...	—	3				—		—	3
Small Cause Court Judges.	—	—		2				—	2
Assistant Settlement Officers.	—	—	—	2			—	—	2
Assistant to Director of Land Records.	—	—	—	1	—	—	—	—	1
TOTAL ...	7	11	9	13	4	—	1	2	47
GRAND TOTAL, SUPERIOR AND INFERIOR.	15	17	17	20	15	5	6	8	103

APPENDIX VI.

Final Examination of 1891 when the Period of Probation was 2 Years.		Final Examination of 1912 when the Period of Probation was one Year.	
Subjects.(a)	Marks.	Subjects.	Marks.
1. *Classical languages of India—		*Compulsory*—	
Sanskrit	500	1. The principal Vernacular language of the Province to which the Candidate is assigned.	400
Arabic	400		
Persian	400		
2. †Vernacular languages of India (excepting Hindustani when taken up by Madras Candidates, and Gujrati) each.	400	2. Indian History	400
		3. Indian Penal Code ...	400
		4. Code of Criminal Procedure ..	200
		5. The Indian Evidence Act ...	200
3. The History and Geography of India.	350	*Optional*.—(Not more than one of following subjects)—	
4. ‡Law	1,250		
5. Political Economy ..	350	1. §Sanskrit	400
		2. §Arabic	400
		3. Persian	400
		4. Hindustani (for Candidates assigned to the Province of Burma only).	400
		5. Hindu and Muhammadan Law	450

(a) In addition to the above, candidates were permitted to take up any one of the following branches of natural science, *viz*., Agricultural chemistry, botany, geology and zoology, for which 350 marks were allowed.

* One or more of these subjects could be taken.
† One of the languages prescribed for the candidates' Presidency or Province.
‡ The course of reading in law included—

20th Report of His Majesty's Civil Service Commissioners, pages 523—6.

(1) General Jurisprudence—
Blackstone's Commentaries.
Austin's Jurisprudence.
The Institutes of Justinian.
Maine's Ancient Law.
Mackenzie's Studies in Roman Law.
Bentham's Theory of Legislation.

(2) Law of Evidence—
The Indian Evidence Act.
Pitt Taylor's Treatise on the Law of Evidence.

(3) Law of India—
The Code of Civil Procedure.
The Indian Penal Code.
The Code of Criminal Procedure.
The Indian Law of Contracts.
The Intestate and Testamentary Succession Act.
Hindu Law.
Muhammadan Law.

Simultaneously the candidates attended courts and supplied the following detailed reports, with an analysis and notes in each case :—

1st Periodical Examination ...	Seven reports of police court cases of a stipendiary magistrate, embracing cases in which the magistrate exercised final jurisdiction and cases which he committed for trial.
	Four civil cases of a county court in which the parties were represented by counsel.
	One separate report of the whole business, of whatever kind, transacted in a police court during one day.
2nd Periodical Examination ...	Five reports of civil actions in the superior courts of London in which the defendant was represented by counsel.
	Five reports of cases decided in the Central Criminal Court in which the prisoner was represented by counsel.
3rd Periodical Examination ...	Three reports of civil cases of importance tried before special juries in the Superior Courts of London.
	Three reports of criminal cases of importance tried before juries in the Central Criminal Court and selected for some special quality such as the gravity of the offence, the nature of the evidence produced, the number of the prisoners, &c.
Final Examination ...	One report of the investigation before a London police magistrate of a grave criminal charge ending in committal.
	One report of the whole business, of whatever kind, transacted in a London police court in one day.
	Two reports of important civil cases tried by a special jury in London.
	One report of a case heard in the Judicial Committee of the Privy Council on appeal from India.

§ These subjects cannot be offered by any candidate who has offered them at the Open Competition.

APPENDIX VII.

AA.

STATEMENT showing the CADRE and STRENGTH of the INDIAN CIVIL SERVICE for INDIA as a whole and by PRESIDENCIES OR PROVINCES, as sanctioned on 1st July 1912, together with the Number of Posts listed as open to the Provincial Service in accordance with the terms of the Rules *made under the provisions* of Section 6 of the Government of India Act, 1870 (33 Vict., cap. 3).

—	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.
(1) No. of "Superior" posts, *i.e.*, posts carrying a salary of over Rs. 1,000 a month in the Presidency or Province.	87	84	90	111	80	83	54	51	22	662
(2) *Deduct* for posts listed as open to Provincial Service.	8	6	8	7	11	5	5	6	—	56
(3) *Add* for posts under the Government of India (*a*).	8	8	8	10	7	6	5	4	2	58
(4) Balance number of "Superior" posts.	87	86	90	114	76	84	54	49	24	664
(5) *Add* 4 per cent. for temporary posts and for deputation. [*N.B.*—For such posts additions are made in the lowest grade of assistants.]	3	3	4	5	3	3	2	2	1	26
(6) Total number of "Superior" posts on which recruitment is based.	90	89	94	119	79	87	56	51	25	690
(7) *Add* "Inferior" posts, *i.e.*, posts above the lowest grade of assistants, but below the "Superior" posts, at 39 per cent. of line (6).	35	35	37	46	31	34	22	20	9	269
(8) *Add* leave reserve at 40 per cent. of line (6).	36	35½	37½	47½	32	35	22½	20	10	276
(9) *Add* training reserve at 15·5 of line (6).	14	13½	14½	18½	12	13	8½	8	4	106
(10) Strength of service required at 194·5 per cent. of line (6).	175	173	183	231	154	169	109	99	48	1,341
(11) Rate of recruitment at 4·17 per cent. of strength shown in line (10).	7·3	7·2	7·6	9·6	6·4	5·3 Civil. 1·7 Military.	4·5	4·1	2·0	54 Civil. 1·7 Military.

(*a*) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or gurantee the number of posts under the Government of India, which may at any time be filled from a particular Province.

LIST A—(MADRAS).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
2	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chief Secretary	3,750
1	Member, Board of Revenue	3,500
1	Secretary, Revenue Department ...	3,125
2	Members, Board of Revenue ...	3,000
2	District and Sessions Judges, 1st grade ...	3,000
1	Inspector-General of Police ...	2,500—100—3,000
1	Resident, Travancore	2,800
7	District and Sessions Judges, 2nd grade... ...	2,500
1	Secretary, Municipal (Local) Department ...	2,500
(*a*) 7	Collectors, 1st grade	2,500
7	District and Sessions Judges, 3rd grade ...	2,250
(*a*) 14	Collectors, 2nd grade	2,250
6	District and Sessions Judges, 4th grade ...	2,000
1	Commissioner of Coorg	1,800—2,000
(*a*) 6	Collectors, 3rd grade	1,800
1	Secretary to Commissioner of Land Revenue ...	1,500—1,800
1	Secretary to Commissioner, Salt and Abkari Revenue.	1,500—1,800
1	Registrar, High Court	1,500—1,800
1	Private Secretary	1,500
(*b*) 20	Sub-Collectors and Joint Magistrates, 1st grade ...	1,200
Total 87		
Deduct — 8	For posts listed as open to the Provincial Service.	
Add + 8	For posts under the Government of India.	
Balance 87		
	Inferior posts, i.e., *Posts above the Lowest Grade of Assistants but below the "Superior" Posts in order of Pay.*	
3	Under Secretaries	1,000
16	Joint Magistrates, 2nd grade	900
16	" " 3rd "	700
Total 35		
	Reserve posts, i.e., *Assistant Collectors* ...	400—500
3	Reserve for temporary posts and for deputations.	
36	Leave reserve.	
14	Training reserve.	
Total 53		

(*a*) Includes Collector of Madras, Director of Agriculture, and Registrar of Co-operative Credit Societies.
(*b*) Includes Deputy Commissioner of Salt and Abkari, and Director of Land Records.

LIST B.

BOMBAY (INCLUDING SIND).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
3	High Court Judges	4,000
1	Chief Secretary	3,750
1	Commissioner in Sind	3,750
3	Commissioners	3,500
1	Secretary	3,125
1	Commissioner of Customs, Salt, Opium, &c. ...	3,000
1	Municipal Commissioner, Bombay... ...	3,000
1	Judicial Commissioner, Sind	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Additional Judicial Commissioner... ...	2,750
(a) 3	District and Sessions Judges, 1st grade ...	2,500
1	Secretary	2,500
6	District and Sessions Judges, 2nd grade ...	2,325
13	Senior Collectors	2,325
1	Commissioner of Settlement and Director, Land Records.	Salary of grade *plus* a local allowance of Rs. 250.
9	District and Sessions Judges, 3rd grade ...	1,800
(b) 15	Junior Collectors	1,800
1	Registrar, High Court	1,700
1	Private Secretary	1,500
1	Deputy Commissioner, Upper Sind Frontier ...	1,200 Local allowance Rs. 300.
3	Political appointments	
1	Assistant Remembrancer of Legal Affairs ...	1,250—50—1,500
2	Under-Secretaries	1,250
1	Talukdari Settlement Officer	1,100
1	Assistant to Commissioner in Sind ...	1,100 Local allowance Rs. 100.
1	Manager, Sind Encumbered Estates ...	Salary of grade *plus* special allowance of Rs. 200.
2	Superintendents of Land Records	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies ...	(same)
5	Assistant Collectors, 1st grade	900 (c)
Total ... 84		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 8	For posts under the Government of India.	
Balance... 86		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
17	Assistant Collectors, 1st grade	900
18	" " 2nd "	700
Total ... 35		
	Reserve posts, i.e., *Assistant Collectors* ...	400—500
3	Reserve for temporary posts and for deputations.	
35½	Leave reserve.	
13½	Training reserve.	
Total ... 52		

(a) Includes Remembrancer of Legal Affairs.

(b) Includes Collector of Salt Revenue, Collector of Bombay and Director of Agriculture and Co-operative Credit Societies; but excludes Collector of Customs, Bombay.

(c) It has recently been proposed to raise the pay of these five appointments to Rs. 1,200.

LIST C.

BENGAL.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
4	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chairman, Calcutta Corporation	3,500
1	Chief Secretary	3,333⅓
(a) 3	District and Sessions Judges, 1st grade ...	3,000
1	Chairman of the Calcutta Improvement Trust ...	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
2	Secretaries	2,750
(a) 13	District and Sessions Judges, 2nd grade ...	2,500
(b) 12	Magistrates and Collectors, 1st grade ...	2,250
(a) 14	District and Sessions Judges, 3rd grade ...	2,000
(b) 13	Magistrates and Collectors, 2nd grade ...	1,800
1	Registrar, High Court	1,700
(b) 14	Magistrates and Collectors, 3rd grade ...	1,500
1	Private Secretary to His Excellency the Governor	1,500
1	Deputy Chairman, Calcutta Corporation ...	1,500
Total ... 90 *Deduct* — 8 *Add* + 8 Balance... 90	 For posts listed as open to the Provincial Service For posts under the Government of India.	
	Inferior posts (i. e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay excluding one listed Under-Secretaryship*).	
2	Under Secretaries	1,000
17	Joint Magistrates	900
17	" "	700
Total ... 36		
	Reserve posts, i.e., *Assistant Magistrates* ...	400—500
4	Reserve for temporary appointments and deputations	
37½	Leave reserve.	
14½	Training reserve.	
Total ... 56		

(a) Includes Superintendent and Remembrancer of Legal Affairs and three District and Sessions Judges for Assam.

(b) Includes Commissioner of Excise, Director of Land Records, Director of Agriculture, two Secretaries to the Board of Revenue, Registrar of Co-operative Credit Societies, three Settlement Officers and four Additional Magistrates for Dacca, Midnapur, Backerganj and Mymensing.

LIST D.

UNITED PROVINCES

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor ...	$8,333\frac{1}{3}$
3	High Court Judges ...	4,000
1	Judicial Commissioner ...	3,500
2	Members, Board of Revenue ...	3,500
1	Additional Judicial Commissioner ...	$3,333\frac{1}{3}$
1	Chief Secretary	3,000
2	District and Sessions Judges, 1st grade ...	3,000
9	Commissioners ...	$2,916\frac{2}{3}$
1	Inspector-General of Police ...	2,500—100—3,000
1	Opium Agent ...	2,500—100—3,000
1	Commissisner, Kumaun ...	2,500
(*a*) 7	District and Sessions Judges, 2nd grade ...	2,500
(*b*) 19	Magistrates and Collectors, 1st grade ...	2,250
(*a*) 6	District and Sessions Judges, 3rd grade ...	2,250
10	District and Sessions Judges, 4th grade ...	$1,833\frac{1}{3}$
(*b*) 17	Magistrates and Collectors, 2nd grade ...	$1,833\frac{1}{3}$
4	Deputy Commissioners, 1st grade ...	$1,833\frac{1}{3}$
3	District and Sessions Judges, 5th grade ...	$1,666\frac{2}{3}$
(*b*) 10	Deputy Commissioners, 2nd grade ...	$1,666\frac{2}{3}$
1	Registrar, High Court ...	1,600
4	Settlement Officers ...	Salary of grade *plus* special allowance of Rs. 150.
1	Deputy Director of Land Records ...	
1	Registrar, Co-operative Credit Societies ...	
1	Superintendent, Dera Dun ...	1,500
1	Deputy Commissioner, Naini Tal ...	1,500
1	Assistant Judge ...	1,100
2	Deputy Commissioners of Garhwal and Almora ...	1,000
Total 111		
Deduct—7	For posts listed as open to the Provincial Service.	
Add +10	For posts under the Government of India.	
Balance 114		
	Inferior posts, i.e., posts above the lowest grade of assistants but below the "superior" posts in order of pay.	
2	Under Secretaries ...	1,000
1	Under Secretary ...	800
1	City Magistrate, Lucknow ...	1,000
14	Joint Magistrates, 1st grade ...	1,000
6	Assistant Comissioners, 1st grade ...	800
1	Assistant Judge ...	800
20	Joint Magistrates, 2nd grade ...	700
1	Registrar, Judicial Commissioner's Court ...	Salary of grade.
Total 46		
	Reserve posts, i.e., Assistant Collectors ...	400—500
5	Reserve for temporary posts and for deputations.	
$47\frac{1}{2}$	Leave reserve.	
$18\frac{1}{2}$	Training reserve.	
Total 71		

(*a*) Includes the Legal Remembrancer.

(*b*) Includes two Secretaries in the Board of Revenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture and Commissioner of Excise.

LIST E.

PUNJAB (EXCLUDING THE NORTH-WEST FRONTIER PROVINCE).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor ...	8,333⅓
1	Chief Judge, Chief Court ...	4,000
2	Judges, Chief Court ...	3,500
2	Financial Commissioners ...	3,500
1	Chief Secretary ...	3,000
5	Commissioners ...	2,750
2	Divisional Judges, 1st grade ...	2,750
3	Divisional Judges, 2nd grade ...	2,500
5	Divisional Judges, 3rd grade ...	2,250
(a) 10	Deputy Commissioners, 1st grade ...	2,250
6	Divisional Judges, 4th grade ...	1,800
(a) 11	Deputy Commissioners, 2nd grade ...	1,800
8	District Judges ...	1,500
(a) 13	Deputy Commissioners, 3rd grade ...	1,500
6	Settlement Officers ...	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies ...	(same as above)
1	Senior Secretary to Financial Commissioners ...	Salary of grade subject to a minimum of Rs. 1,200 and a maximum of Rs. 1,800.
1	Junior Secretary to Financial Commissioners ..	Salary of grade subject to a maximum of Rs. 1,500 and a minimnm of Rs. 1,000.
1	Registrar, Chief Court ...	1,250
Total ... 80		
Deduct —11	For posts listed as open to the Provincial Service.	
Add +7	For posts under the Government of India.	
Balance ... 76		
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay (excluding one Under-Secretaryship listed).*	
2	Under Secretaries ...	1,000
14	Assistant Commissioners, 1st grade ...	900
15	Assistant Commissioners, 2nd grade ...	700
Total ... 31		
	Reserve post, i.e., *Assistant Commissioners of the lowest grade.*	400—500
3	Reserve for temporary posts and for deputations.	
32	Leave reserve.	
12	Training reserve.	
Total ... 47		

(a) Includes two Secretaries of Government, Director to Land Records, Director of Agriculture and Political Agent in the Phulkian States.

LIST F.

BURMA.

Superior Posts in order of pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
1	Judge, Chief Court	3,500
1	Judicial Commissioner, Upper Burma ...	3,500
1	Financial Commissioner	3,500
1	Chief Secretary to Government	3,000
8	Commissioners of Divisions	2,750
1	Commissioner of Settlements and Director of Land Records.	2,750
2	Divisional Judges, 1st grade	2,750
1	President, Rangoon Municipality	2,500 (a)
1	Director of Agriculture	2,400 (d)
2	Divisional Judges, 2nd grade	2,250
(c) 12	Deputy Commissioners, 1st grade	2,250
1	Revenue Secretary to Government	2,250 (b)
1	Secretary to Government	2,250 (b)
2	Divisional Judges, 3rd grade	1,800
(c) 13	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(c) 15	Deputy Commissioners, 3rd grade	1,500
1	Deputy Director of Land Records	1,600 (b)
1	Secretary to Financial Commissioner ...	1,500 (b)
1	Registrar, Chief Court	1,400 (b)
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies ...	Salary of grade *plus* special allowance of Rs. 150.
Total ...83		
Deduct −5	For posts listed as open to the Provincial Service.	
Add +6	For posts under the Government of India.	
Balance ...84		
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay.*	
11	Assistant Commissioners, 1st grade	1,000
10	Assistant Commissioners, 2nd grade	700
10	Assistant Commissioners, 3rd grade	600
Total ... 31		
	Reserve posts, i.e., *Assistant Commissioners of the 4th grade.*	450—500
3	Reserve for temporary posts and for deputations.	
35	Leave reserve.	
13	Training reserve.	
Total ... 51		

(a) Maximum salary including a local allowance of Rs. 250 a month.
(b) Maximum salary including a local allowance of Rs. 400, Rs. 300, Rs. 200, Rs. 200 and Rs. 200, respectively.
(c) Includes Superintendents of Shan States, Collector of Rangoon and Commissioner of Excise, the latter officer drawing the salary of grade *plus* a local allowance of Rs. 250, without a maximum.
(d) Maximum salary including a local allowance of Rs. 150 a month.

LIST G.

Bihar and Orissa.

Superior posts in order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
2	Members of Council	5,000
2	High Court Judges	4,000
1	Member, Board of Revenue	3,500
1	Chief Secretary	3,000
(a) 2	District and Sessions Judges, 1st grade ...	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
(a) 5	District and Sessions Judges, 2nd grade ...	2,500
(b) 9	Magistrates and Collectors, 1st grade ...	2,250
(a) 5	District and Sessions Judges, 3rd grade ...	2,000
(b) 10	Magistrates and Collectors, 2nd grade ...	1,800
(b) 10	Magistrates and Collectors, 3rd grade ...	1,500
Total ... 54		
Deduct — 5	For posts listed as open to the Provincial Service.	
Add + 5	For posts under the Government of India.	
Balance... 54	On which recruitment is based.	
	Inferior posts, i.e., posts above the lowest grade of assistants but below the "superior" posts (including one listed Under-Secretary) in order of pay—	
2	Under-Secretaries	1,000
10	Joint Magistrates, 1st grade	900
10	Joint Magistrates, 2nd grade	700
Total ... 22		
	Reserve posts, i.e., *Assistant Magistrates* ...	400—500
2	Reserve for temporary posts and for deputations.	
22½	Leave reserve.	
8½	Training reserve.	
Total ... 33		

(a) Including Superintendent and Remembrancer of Legal Affairs and Judicial Commissioner, Chota-Nagpur.

(b) Includes two Secretaries to Government and Directors of Land Records and Agriculture, Commissioner of Excise, Registrar of Co-operative Credit Societies, two Settlement Officers and Political Officer, Orissa.

LIST H.

Central Provinces and Berar.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
	Central Provinces.	Rs.
1	Chief Commissioner	5,166⅔
1	Financial Commissioner	3,500
1	Judicial Commissioner	3,500
1	Additional Judicial Commissioner	3,000
1	Second Additional Judicial Commissioner ...	2,750
3	Commissioners	2,750
2	Ditto	2,500
1	Senior Divisional Judge	2,500
(a) 8	Deputy Commissioners, 1st class	2,250
(a) 12	Ditto ditto, 2nd class	1,800
(a) 14	Ditto ditto, 3rd class	1,500
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Director of Agriculture	
1	Registrar, Co-operative Credit Societies ...	
Total ... 51 *Deduct* —6 *Add* + 4 Balance 49	 For posts listed as open to the Provincial Service. For posts under the Government of India.	
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay.*	
6	Assistant Commissioners, 1st grade	900
13	Assistant Commissioners, 2nd grade	700
Total 19		
	NOTE.—There is a defect of one post. It has recently been proposed to correct the defect and to grade the 20 posts as follows—	
10	Assistant Commissioners, 1st grade	900
10	Assistant Commissioners, 2nd grade	700
Total 20		
	Reserve posts, i.e., *Assistant Commissioners of the lowest grade.*	400—500
2	Reserve for temporary posts and for deputations.	
20	Leave reserve.	
8	Training reserve.	
Total 30		

(a) Includes Chief Secretary, Secretary, Political Agent of Chhattisgarh, Commissioner of Excise, Commissioner of Settlements, three Divisional Judges, Inspector-General of Police, and two District and Sessions Judges and one Secretary to the Chief Commissioner. The Inspector-General of Police draws a local allowance of Rs. 450 subject to a maximum salary of Rs, 2,500 a month.

B.

LIST I.

ASSAM.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Chief Commissioner	5,166⅔
2	Commissioners	2,750
(*a*) 6	Deputy Commissioners, 1st grade	2,250
(*a*) 7	Deputy Commissioners, 2nd grade	1,800
(*a*) 6	Deputy Commissioners, 3rd grade	1,500
Total ... 22		
Deduct—Nil	For posts listed as open to the Provincial Service.	
Add + 2	For posts under the Government of India.	
Balance 24		
	Inferior posts, i.e., posts above the lowest grade of assistants but below the "superior" posts in order of pay.	
2	Under Secretaries	1,000
4	Joint Magistrates, 1st grade	900
3	Joint Magistrates, 2nd grade	700
Total 9		
	Reserve posts, i.e., Assistant Magistrates.	400—500
1	Reserve for temporary posts and for deputations.	
10	Leave reserve.	
4	Training reserve.	
Total 15		

(*a*) Includes Superintendent of Lushai Hills; Commissioner of Excise, Inspector-General of Registration and Registrar of Co-operative Credit Societies; Director of Land Records and Agriculture; two Secretaries to the Chief Commissioner; Inspector-General of Police; one Settlement Officer, and Political Agent, Manipur.

LIST J.

SUPERIOR POSTS UNDER THE GOVERNMENT OF INDIA.

No.	Designation.	Pay of each.
		Rs.
3	Members of Council	6,666⅔
	Home Department—	
1	Secretary	4,000
1	Deputy Secretary	2,000
1	Director, Criminal Intelligence	3,000
1	Superintendent of Port Blair	2,500—3,000
	Finance Department—	
1	Secretary	4,000
1	Joint Secretary	3,000
1	Deputy Secretary	2,250
1	Comptroller and Auditor General	3,500—4,000
3	Accountants-General	2,250—2,750
3	Officers of the Indian Finance Department ...	1,100—1,800
	Foreign Department—	
1	Secretary	4,000
1	Deputy Secretary	2,250
23	Political Officers	1,100—4,000
	Legislative Department—	
1	Secretary or Deputy Secretary	3,000—3,500 or 2,000
	Department of Revenue and Agriculture—	
1	Secretary	4,000
	Department of Commerce and Industry—	
1	Secretary	4,000
1	Director-General of Posts and Telegraphs ...	3,000—3,500
4	Postmasters-General	1,500—1,750 or 1,750—2,000 or 2,250—2,500
1	Commissioner, Northern India Salt Revenue ...	2,500
1	Inspector-General of Excise and Salt ...	3,000
3	Collectors of Customs	2,050—2,500
2	Assistant Collectors of Customs	1,150—1,400
	Department of Education—	
1	Secretary	3,000
Total 58		

BB.

Statement showing for **India** as a whole and by **Presidencies** and **Provinces** the Actual Strength of the **Indian Civil Service Cadre**, as it stood on 1st July 1912, compared with the Strength at which it should have stood on the same date in accordance with the Sanctioned Calculations.

Provinces.	Sanctioned Strength.	Actual Strength on 1st July 1912.		No. of Officers over (+) or under (—) Strength.
1	2	3		4
Madras	175		173	—2
Bombay	173		176 (*a*)	+3
Bengal	183		174 (*b*)	—9
United Provinces ...	231		237 (*c*)	+6
Punjab	154	Civilians 162 (*d*) Military 29 (*e*)	191	+37
Burma	169	Civilians 126 ... Military 49 ...	175	+6
Bihar and Orissa ...	109		107 (*f*)	—2
Central Provinces ...	99		104 (*g*)	+5
Assam	48	Civilians 39 ... Military 9 ...	48	—
Total ...	1,341		1,385	+44

(*a*) Excluding Sir B. Robertson, who permanently belongs to the Central Provinces, where he has been included, but including Mr. H. C. Mules of the Sind Commission.

(*b*) Excluding Messrs. Nathan and Hallett, who have been temporarily lent by Bihar and Orissa to Bengal and have been included in the Bihar and Orissa cadre.

(*c*) Including Sir H. Butler, who has not been numbered in the Civil List, but excluding Messrs. W. Alder and T. K. Johnston, who have been temporarily transferred to, and included in, the Bengal Cadre.

(*d*) Including Messrs. O'Dwyer, Lorimer, Barton, Grant, Rennie, Johnston, Glancy, Pipon, Bolton, Pears, Jelf Howell, Bill, Copeland, Fraser, Fitzpatrick, Latimer, serving in the Political Department under the Government of India in the North-West Frontier Province, and Messrs. Bray and Cater, also serving under the Government of India in the Political Department in Baluchistan, and excluding Messrs. Cowan, Macnair and Jacob, serving in Bengal, where they have been included, and Mr. Gordon, serving in Assam, in which he has also been included.

(*e*) Including Lieutenant-Colonel Rawlinson, Mr. J. S. Donald, Major Blakeway, Lieutenant-Colonel Sir G. Roos-Keppel and Captain Keen serving in the Political Department under the Government of India in the North-West Frontier Province.

(*f*) Excluding Mr. Shettle, who recently committed suicide.

(*g*) Including Sir B. Robertson, who permanently belongs to the Central Provinces, but has been wrongly omitted from the Civil List, but excluding Messrs. Crawford (serving in Bihar and Orissa, where he has been included) and Liddell (serving in Bengal, in which he has been included), and 3 Indian members of the Berar Commission who have been treated as holding posts corresponding to 3 listed posts.

CC

APPENDIX

Nature of posts.	Madras. No.	Madras. Pay.	Bombay. No.	Bombay. Pay.	Bengal. No.	Bengal. Pay.	United Provinces. No.	United Provinces. Pay.
		Rs.		Rs.		Rs.		Rs.
Lieutenant-Governors and Chief Commissioners.	...	...	...	...	...	...	1	8,333⅓
Members of Council...	2	5,333⅓	2	5,333⅓	2	5,333⅓	...	...
Judges of High or Chief Courts.	2	4,000	3	4,000	4	4,000	3	4,000
Boards of Revenue or Financial Commissioners.	4	(1) 3,750 (1) 3,500 (2) 3,000	...	...	1	3,750	2	3,500
Commissioners of Divisions and others of same rank.	...	...	6	(1) 3,750 (3) 3,500 (2) 3,000	5	2,916⅔	10	(9) 2,916⅔ (1) 2,500
Secretaries to Government.	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,750 (1) 3.125 (1) 2,500	3	(1) 3,333⅓ (2) 2,750	1	3,000
Secretaries to Boards of Revenue or Financial Commissioners.	2	1,500-1,800	...	...	...	...	...	...
Judicial Commissioners.	...	...	2	(1) 3,000 (1) 2,750	...	...	2	(1) 3,500 (1) 3,333⅓
District and Sessions Judges or Divisional Judges and District Judges.	22	(2) 3,000 (7) 2,500 (7) 2,250 (6) 2,000	18	(3) 2,500 (6) 2,325 (9) 1,800	30	(3) 3,000 (13) 2,500 (14) 2,000	28	(2) 3,000 (7) 2,500 (6) 2,250 (10) 1,833⅓ (3) 1,666⅔
Collectors or Deputy Commissioners.	27	(7) 2,500 (14) 2,250 (6) 1,800	29	(13) 2,325 (15) 1,800 (1) 1,500	39	(12) 2,250 (13) 1,800 (14) 1,500	54	(19) 2,250 (21) 1,833⅓ (10) 1,666⅔ (2) 1,500 (2) 1,000
Political Officers ...	1	2,800	3	...	...	...	...	...
Miscellaneous Posts ...	(a) 4	(1) 2,500-3,000 (1) 1,800-2,000 (1) 1,500-1,800 (1) 1,500	6 (b)	(1) 2,500-3,000 (1) 1,700 (1) 1,500 (1) 1,250-1,500 (2) 1,100	(c) 6	(1) 3,500 (1) 3,000 (1) 2,500-3,000 (1) 1,700 (1) 1,500 (1) 1,300	(d) 4	(2) 2,500-3000 (1) 1,600 (1) 1,100
Under Secretaries to Government.	3	1,000	2	1,250	2	1.000	3	(2) 1,000 (1) 800
Joint Magistrates or Assistant Commissioners, 1st grade.	20	1,200	...	...	...	...	...	...
Joint Magistrates or Assistant Commissioners, 2nd, (1st) grade.	16	900	17	900	17	900	22	(15) (e) 1,000 (7) (f) 800
Joint Magistrates or Assistant Commissioners, 3rd, (2nd) grade.	16	700	18	700	17	700	20	700
Joint Magistrates or Assistant Commissioners, 4th, (3rd) grade.	...	...	...	...	...	...	...	...
Assistant Collectors or Commissioners.	53	400-500	57	400—500	56	400—500	71	400—500
Appointments which do not carry fixed pay and the salary of which depends on the position of their holders.	...	...	5	...	...	...	7	...
Total ...	175	...	171	...	182	...	228	...

(a) Inspector-General of Police, Commissioner of Coorg, Registrar of High Court and Private Secretary to Governor. (b) Inspector- in Sind and Talukdari Settlement Officer. (c) Chairman of Calcutta Corporation, Chairman of Calcutta Improvement Trust, Inspector-General of Police, Opium Agent, Registrar of High Court and Assisistant Judge. (d) Includes City Magistrate of Lucknow. (f) Includes Divisional Judge. (j) Three District and Sessions Judges are graded with the Bengal cadre.

VIII.

CC.

Punjab.		Burma.		Bihar and Orissa.		Central Provinces and Berar.		Assam.	
No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
	Rs.		Rs.		Rs.		Rs.		Rs.
1	$8,333\frac{1}{3}$	1	$8,333\frac{1}{3}$	1	$8,333\frac{1}{3}$	1	$5,166\frac{2}{3}$	1	$5,166\frac{2}{3}$
...	...	...	...	2	5,000	...	...	...	...
3	(1) 4,000 (2) 3,500	2	(1) 4,000 (1) 3,500	2	4,000	...	...	...	...
2	3,500	1	3,500	1	3,500	1	3,500	...	...
5	2,750	9	2,750	5	$2,916\frac{2}{3}$	5	(3) 2,750 (2) 2,500	2	2,750
1	3,000 ...	1	3,000	1	3,000	...	...	...	...
2	(1) 1,200—1,800 (1) 1,000—1,500	...	...	...	...	...	...	...	...
...	...	1	3,500	...	...	3	(1) 3,500 (1) 3,000 (1) 2,750	...	...
24	(2) 2,750 (3) 2,500 (5) 2,250 (6) 1,800 (8) 1,500	14	(2) 2,750 (2) 2,250 (2) 1,800 (8) 1,500	12	(2) 3,000 (5) 2,500 (5) 2,000	1	2,500	(*f*)	...
34	(10) 2,250 (11) 1,800 (13) 1,500	40	(12) 2,250 (13) 1,800 (15) 1,500	29	(9) 2,250 (10) 1,800 (10) 1,500	34(*i*)	(8) 2,250 (12) 1,800 (14) 1,500	19	(6) 2,250 (7) 1,800 (6) 1,500
...	...	...	...	...	...	...	...	...	...
(*g*) 1	1,250	...	...	1(*h*)	2,500-3,000	...	...	...	...
2	1,000	...	...	2	1,000	...	...	2	1,000
...	...	...	...	...	...	...	...	...	...
14	900	11	1,000	10	900	6	900	4	900
15	700	13	700	10	700	13	700	3	700
...	...	10	600	...	...	...	...	...	...
47	400—500	51	450—500	33	400—500	31	400—500	15	400—500
7	...	14	...	...	...	6	...	...	...
158	...	168	...	109	...	101	...	46	...

General of Police, Registrar of High Court, Private Secretary to Governor, Assistant Legal Remembrancer. Assistant to Commissioner of Police, Registrar of High Court, Private Secretary to Governor and Deputy Chairman of Calcutta Corporation. (*d*) Inspector- as Assistant Judge. (*g*) Registrar of Chief Court. (*h*) Inspector-General of Police. (*i*) Includes Divisional Judges except the Senior

DD.

Presidency or Province.	Collectors or Deputy Commissioners.							District and Sessions Judges, including Divisional and District Judges.							Joint Magistrates, Assistant Collectors and Assistant Commissioners.						
	Total No. of Appointments.	Appointments in the grades of Rs. 2,250 and over.		Appoinments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appoinments in the grades of Rs. 1,500 and over but less than Rs. 1,800.		Total No. of Appointments.	Appointments in the grade of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.		Total No. of Appointments.	Appointments in the grades of Rs. 900 and over but below Rs. 1,500.		Appointments in the grades of Rs. 700 and over but below Rs. 900.		Appointments in the grades of Rs. 500 and over but below Rs. 700.	
		No.	Percentage.	No.	Percentage.	No.	Percentage.		No.	Percentage.	No.	Percentage.	No.	Percentage.		No.	Percentage.	No.	Percentage.	No.	Percentage.
Madras	27	21	77·8	6	22·2	...	...	22	16	72·7	6	27·3	...	...	105	36	34·3	16	15·3	53	50·4
Bombay	29	13	44·8	15	51·7	1	3·5	18	9	50	9	50	...	...	92	17	18·5	18	19·6	57	61·9
Bengal	39	12	30·8	13	33·3	14	35·9	30	16	53·3	14	46·7	...	...	90	17	18·8	17	18·8	56	62·2
United Provinces ...	54	19	35·2	21	38·9	14*	25·9	28	15	53·6	10	35·7	3	10·7	113†	15	13·3	27	23·9	71	62·8
Punjab	34	10	29·5	11	32·3	13	38·2	24	10	41·7	6	25	8	33·3	76	14	18·4	15	19·8	47	61·8
Burma	40	12	30	13	32·5	15	37·5	14	4	28·6	2	14·3	8	57·1	85	11	12·9	13	15·3	61	71·8
Bihar and Orissa ...	29	9	31·0	10	34·5	10	34·5	12	7	58·3	5	41·7	...	...	53	10	18·9	10	18·9	33	62·2
Central Provinces and Berar.	34	8	23·5	12	35·3	14	41·2	1	1	100	...	...	...	...	50	6	12	13	26	31	62
Assam	19	6	31·6	7	36·8	6	31·6	...	...	...	...	...	...	...	22	4	18·1	3	13·6	15	68·3

* Includes two hill Deputy Commissionerships which carry a pay of Rs. 1,000 each on account of their amenities.

† Includes City Magistrate, Lucknow, and an Assistant Judge on Rs. 800.

APPENDIX A.

Nos. 1046-1058.

GOVERNMENT OF INDIA (HOME DEPARTMENT).

ESTABLISHMENTS.

Simla, the 19th August 1910.

RESOLUTION.

The Governor-General in Council has had under consideration the recommendation made by the Royal Commission on Decentralisation at the end of paragraph 128 of their Report on the subject of framing rules for the recruitment of provincial services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, &c., on which detailed provincial rules would be based.

2. In the present Resolution the Governor-General in Council proposes to deal only with the provincial civil services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the provincial civil services, was introduced in 1892, as the result of the Report of the Public Service Commission. The Governor-General in Council has now decided to accept in substance the recommendation of the Decentralisation Commission, and is pleased accordingly to invest Local Governments with the power to make rules for the recruitment of the provincial civil services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor-General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection, as follows :—

I. The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II. Every candidate for appointment by recruitment must furnish satisfactory evidence—

(*a*) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleaders appointed to the judicial branch ; these excepted cases will be governed by Article 51 of the Civil Service Regulations ;

(*b*) that he has attained a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility ;

(*c*) that he is of sound health, good physique, and active habits ; and

(*d*) that he is of good character.

III. Every person appointed to the provincial civil service by direct recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the Local Government declares such probation or training to be unnecessary.

IV. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V. Admission to the provincial civil service should usually be confined to persons who are natives of the province or have definitely settled in it; in the case of candidates who are not natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. No Barrister, Advocate, or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI. Europeans who are not statutory natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII. The local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII. The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the provincial civil services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

IX. No member of the provincial civil service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this Resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

ORDER.—Ordered that a copy of this Resolution be forwarded to the local Governments* and Departments of the Government of India† noted on the margin and to the Hon'ble the Chief Commissioner of the Central Provinces for information.

*Madras.	Burma.
Bombay.	Eastern Bengal and Assam.
Bengal.	†Foreign.
United Provinces.	Revenue and Agriculture.
Punjab.	Public Works.
	Commerce and Industry.

A. EARLE,

Offg. Secretary to the Government of India.

APPENDIX B.

Office.	Rate of pay, in rupees.	Number of appointments in each grade.													
		Madras.	Bombay.			Bengal.	United Provinces.			Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
			Presidency proper.	Sind.	Total.		Agra.	Oudh.	Total.						
Executive Branch.															
Deputy Collectors in Madras, Bombay, Bengal, the United Provinces, and Bihar and Orissa. Extra Assistant Commissioners in the Punjab, Burma, Central Provinces, and Assam.	800	3	...	...	2	5	...	...	4	3	3	4	2	1	27
	700	6	...	...	3	7	...	...	6	4	5	5	3	1	40
	600	8	...	...	7	16	...	...	12	5	10	12	6	3	79
	500	29	...	...	23	48	...	...	35	12	36	36	14	10	243
	400	32	...	...	23	71	...	...	53	24	36	52	23	14	328
	300	29	...	...	24	73	...	...	55	25	35	54	24	15	334
	250	30	...	...	...	79	...	...	58	(a)40	...	59	14	16	296
	200	...	...	...	...	...	...	...	...	...	...	..	12	...	12
Total ...	...	137	...	...	82	299		...	223	113	125	222	98	60	1,359
Mamlatdars	250	...	29	...	29	...	...	...	...	...	...	...	...	...	29
	225	...	34	...	34	...	...	...	...	...	...	...	...	...	34
	200	...	39	...	39	...		...	...	...	...	...	...	...	39
	175	...	45	...	45	...	...	...	...	...	...	...	...	...	45
	150	...	50	...	50	...	...	...	...	...	...	...	...	...	50
Total ...	...	...	197	...	197	...	...	...	...	...		...	...	...	197
Total (Executive Branch) ...	...	137	...	...	279	299	...	...	223	113	125	222	98	60	1,556
Judicial Branch.															
Subordinate Judges (also called Judicial Extra Assistant Commissioners in the Punjab and District Judges in the Central Provinces in the grades of Rs. 500 and upwards).	1,000	...	...	...	...	6	...	...	...	...	...	2	...	...	8
	800	4	3	1	4	12	3	2	5	3	1	6	2	...	37
	700	...	...	...	...	...	...	...	...	4	1	...	3	...	8
	650	5	4	1	5	...	7	3	10	...	...	...	...	...	20
	600	...	...	...	...	24	...	...	...	5	2	12	5	...	48
	500	9	8	1	9	...	9	7	16	12	8	...	5	...	59
	400	...	...	...	...	...	...	...	...	12	8	...	17	...	37
	300	...	...	...	...	...	...	...	...	12	9	...	16	...	37
Total ...	—	(d)18	15	3	18	(b)42	19	12	31	48	29	(b)20	48	(b)	254
Munsifs (also called Subordinate Judges, 2nd class in Bombay).	500	...	...	...	...	12	...	...	...	...	...	...	...	...	12
	400	33	19	2	21	61	22	8	30	...	...	20	...	...	165
	300	33	22	4	26	70	24	8	32	...	...	19	...	...	180
	250	33	...	...	...	66	...	...	...	...	...	19	...	...	118
	200	29	36	5	41	36	22	10	32	...	...	10	...	...	148
	175	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	150	...	12	3	15	...	...	...	...	...	...	...	...	...	15
Total ...	...	(e)128	89	14	103	(b)245	68	26	94	(c)	(c)	(b)68	(c)	(b)	638
Total (Judicial Branch) ...	...	146	104	17	121	287	87	38	125	48	29	88	48	...	892
GRAND TOTAL	...	283	...	...	400	586	...	...	348	161	154	310	146	60	2,448

(a) This grade is common to both the Judicial and Executive Branches.

(b) The Subordinate Judges and Munsifs employed in Assam are included in the Bengal cadre, and both that cadre and the Bihar and Orissa cadre have been shown above in accordance with the scale proposed by the Calcutta High Court. This matter is under discussion in connection with the recent territorial changes.

(c) Munsifs in the Punjab and the Central Provinces and Judicial Myooks in Burma belong to the Subordinate Judicial Service, and are paid at rates ranging from Rs. 150 to Rs. 250 a month.

(d) Includes four appointments which have been added since the last general reorganisation in 1884.

(e) " three " " " " revision of the grades in August 1911.

B

THE ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

Presidency or Province ______________________________

(i) Number of Witness ______________________________

(ii) Name of Witness ______________________________

(iii) Designation of Witness ______________________________

(i) This entry will be made in the office of the Royal Commission.

(iii) Under this heading witnesses are requested to state (a) age; (b) occupation; (c) main public positions filled; (d) title and distinctions, if any.

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

NOTE.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.

INDIAN CIVIL SERVICE.

Question 1.—What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

Question 2.—In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

Question 3.—Is the system equally suitable for the admission of "Natives of India*" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only, and the term is so used throughout these questions.

Question 4.—Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

Question 5.—If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.

Question 6.—In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?

Question 7.—What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each Province or group of Provinces in India? If you favour such a scheme, what proportion do you recommend?

Question 8.—If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?

Question 9.—If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?

Question 10.—Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?

Question 11.—Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.

Question 12.—Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.

Question 13.—If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons.

Question 14.—What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?

Question 15.—What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?

Question 16.—What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?

Question 17.—Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.

Question 18.—Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?

Question 19.—Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?

Question 20.—Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England and partly by special arrangement in India?

Question 21.—Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?

Question 22.—If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?

Question 23.—Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?

Question 24.—What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?

Question 25.—Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?

Question 26.—Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?

Question 27.—Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?

Question 28.—Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

Question 29.—Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?

Question 30.—If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?

Question 31.—Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

Question 32.—Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?

Question 33.—Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?

Question 34.—Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

Question 35.—Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

Question 36.—Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

Question 37.—Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.

Question 38.—Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

Question 39.—Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.

Question 40.—Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural born subjects of His Majesty? If so, please state the special arrangements that you recommend.

Question 41.—If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.

Question 42.—Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of

unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

Question 43.—Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions.

Question 44.—Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views.

Question 45.—Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

Question 46.—If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

Question 47.—Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?

Question 48.—Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?

Question 49.—Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

Question 50.—Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave and pension in the Indian Civil Service.

PROVINCIAL CIVIL SERVICE.

Question 51.—Please refer to Government of India resolution No. 10-6-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?

Question 52.—In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?

Question 53.—Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?

Question 54.—Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

Question 55.—Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend.

Question 56.—Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.

Question 57.—To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?

Question 58.—Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?

Question 59.—Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

Question 60.—Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

Question 61.—Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

Question 62.—Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

Question 63.—Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?

Question 64.—Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

Question 65.—Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

APPENDIX A.

Nos. 1046-1058.

GOVERNMENT OF INDIA,—HOME DEPARTMENT.

ESTABLISHMENTS.

Simla, the 19th August 1910.

RESOLUTION.

The Governor-General in Council has had under consideration the recommendation made by the Royal Commission on Decentralisation at the end of paragraph 128 of their report on the subject of framing rules for the recruitment of Provincial Services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, &c., on which detailed provincial rules would be based.

2. In the present resolution the Governor-General in Council proposes to deal only with the provincial civil services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the provincial civil services, was introduced in 1892, as the result of the report of the Public Service Commission. The Governor-General in Council has now decided to accept in substance the recommendation of the Decentralisation Commission, and is pleased accordingly to invest Local Governments with the power to make rules for the recruitment of the provincial civil services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor-General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection, as follows:—

I.—The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II.—Every candidate for appointment by recruitment must furnish satisfactory evidence—

(*a*) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleaders appointed to the judicial branch; these excepted cases will be governed by Article 51 of the Civil Service Regulations;

(*b*) that he has attained a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particluar, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;

(*c*) that he is of sound health, good physique, and active habits; and

(*d*) that he is of good character.

III. Every person appointed to the provincial civil service by direct recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the local Government declares such probation or training to be unnecessary.

IV. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V. Admission to the provincial civil service should usually be confined to persons who are natives of the province or have definitely settled in it; in the case of candidates who are not natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. No Barrister, Advocate, or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI. Europeans who are not statutory natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII. The local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII. The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the provincial civil services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

IX. No member of the provincial civil service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor-General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this resolution should be published by the Local Governments and Administrations as part of the respective provincial rules.

ORDER.—Ordered that a copy of of this resolution be forwarded to the Local Governments* and Departments of the Government of India† noted on the margin and to the Hon'ble the Chief Commissioner of the Central Provinces for information.

* Madras.
Bombay.
Bengal.
United Provinces
Punjab.
Burma.
Eastern Bengal and Assam.

† Foreign.
Revenue and Agriculture.
Public Works.
Commerce and Industry.

A. EARLE,

Offg. Secretary to the Government of India.

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EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

SIMLA, THURSDAY, SEPTEMBER 18, 1913.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

NOTIFICATION.

ESTABLISHMENTS.

No. 1939.

Simla, the 18th September 1913.

A temporary vacancy having occurred in the office of Lieutenant-Governor of the United Provinces of Agra and Oudh consequent on the deputation of the Honourable Sir James Meston, K.C.S.I., on special duty, the Governor General of India is pleased, under the authority vested in him by the 29th section of the Act 21 and 22 Vict., Cap. 106, and subject to the approbation of His Majesty, to appoint the Honourable Mr. D. C. Baillie, C.S.I, Member of the Board of Revenue in the United Provinces, to officiate as Lieutenant-Governor of the United Provinces of Agra and Oudh, during the absence of Sir James Meston on the said deputation.

The Honourable Mr. Baillie has this day assumed charge of the office of Lieutenant-Governor of the United Provinces of Agra and Oudh.

H. WHEELER,

Secretary to the Government of India.

Printed and Published for the GOVERNMENT OF INDIA *at the* GOVERNMENT CENTRAL PRINTING OFFICE, *Simla.*

68GI

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SIMLA, SATURDAY, NOVEMBER 8, 1913.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

PUBLIC.

NOTIFICATIONS.

Simla, the 8th November 1913.

No. 2370.—The following Proclamation of the Governor General in Council is hereby published :—

PROCLAMATION.

In exercise of the power conferred by section 3 of the Government of India Act, 1912 (2 & 3 Geo. 5, c. 6), the Governor General in Council is pleased to extend to the territories for the time being administered by the Chief Commissioner of the Central Provinces the provisions of the Indian Councils Acts, 1861 to 1909, touching the making of laws and regulations for the peace and good government of provinces under Lieutenant-Governors (including the constitution of Legislative Councils for such provinces and the business to be transacted therein) subject to the modification that in the application to the said territories of the provisions aforesaid references to a Lieutenant-Governor shall be construed as references to the Chief Commissioner of the Central Provinces.

No. 2371.—The following Proclamation, to which the sanction of His Majesty the King, Emperor of India, has been signified by the Secretary of State for India in Council, is hereby published :—

PROCLAMATION.

In exercise of the powers conferred by the Indian Councils Act, 1861 (24 & 25 Vict. c. 67) and all other powers enabling him in this behalf, the

Governor General is pleased to constitute the territories for the time being administered by the Chief Commissioner of the Central Provinces to be, for the purposes of the Indian Councils Act, 1861, a province to which the provisions of that Act touching the making of laws and regulations for the peace and good government of the Presidencies of Fort Saint George and Bombay shall be applicable.

2. The Governor General in Council is also pleased to specify the 10th day of November 1913, as the time at which the application of the said provisions of the Indian Councils Act, 1861, to the said territories shall take effect.

H. WHEELER,

Secretary to the Government of India.

Printed and Published for the GOVERNMENT OF INDIA *at the* GOVERNMENT CENTRAL PRINTING OFFICE, *Simla.*

The Gazette of India.

EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

DELHI, TUESDAY, DECEMBER 23, 1913.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

CUSTOMS.

Delhi, the 22nd December 1913.

No. 212-C.—In exercise of the power conferred by Section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing, by sea or by land, into British India of any copy of an Urdu paper called the "Ghadr" (Mutiny) published by the *Yugantar Ashran* of San Francisco, U.S.A.

R. E. ENTHOVEN,

Secretary to the Government of India.

Printed and Published for the GOVT. OF INDIA *by the* SUPERINTENDENT GOVERNMENT PRINTING INDIA, *Delhi.*